IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 2099 of 2023

1. Jogen Singh Sardar @ Yogendra Singh, son of late Gadadhar Singh, aged about 71 years
2. Upendra Singh, son of late Gadadhar Singh, aged about 64 years
3. Ashwini Singh, son of late Rajendra Singh, aged about 40 years

All are resident of Village-Gouri, P.O.-Kapali, P.S.-Chandil (outpost Kapali), Dist.-Seraikella-Kharsawan

.... Petitioners

Versus

1. The State of Jharkhand
2. Deputy Commissioner, Seraikella, P.O. & P.S.-Saraikella, Dist.-Seraikella-Kharsawan
3. Sub-Divisional Magistrate, Chandil, P.O. & P.S.-Chandil, Dist.-Seraikella-Kharsawan
4. Badal Sardar, son of late Khatro Sardar, resident of Village-Renghadih, P.O. & P.S.-Kandra, Dist.-Seraikella-Kharsawan

…. Opp. Parties

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

…..

For the Petitioners : Mr. Ram Chandra P. Sah, Advocate
: Mr. Chandra G.A. Bardhan, Advocate
: Ms. Ragani Kumari, Advocate
For the State : Ms Vandana Bharti, Addl. P.P.
For O.P. No.4 : Mr. Arvind Kr. Choudhary, Advocate
: Mr. Prathik, Advocate

…..

By the Court:-

1. Heard the parties.

2. This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 482 of Cr.P.C. with the prayer to quash the order dated 26.04.2023 passed by the learned Sessions Judge,

Seraikella-Kharsawan in Criminal Revision No. 31 of 2022 whereby and where under, the learned Sessions Judge, Seraikella-Kharsawan has upheld the order dated 22.09.2022 passed by the learned Sub-Divisional Magistrate, Chandil in Misc. Case No. 45 of 2022 by which the learned Sub-Divisional Magistrate, Chandil vacated the prohibitory order under Section 144 of Cr.P.C. against the first party and made the same absolute against the second party of the said Misc. Case No. 45 of 2022 who is the petitioner herein.

3. It is fairly submitted by both the learned counsel for the petitioners and the learned counsel for the opposite party no.4 that the order under Section 144 of Cr.P.C. which was passed on 22.09.2022 has lost its force because of efflux of time.

4. Learned counsel for the petitioners submits that the petitioners are aggrieved by the observation made by the learned Sub-Divisional Magistrate, Chandil that the learned Sub-Divisional Magistrate, Chandil after thoroughly going through the documents available in the record came to the conclusion, the claim of the first party appears to be true.

5. It is a settled principle of law that Sub-Divisional Magistrate exercising the power under Section 144 of Cr.P.C. cannot adjudicate the right, title or interest of any

of the parties. So, this criminal miscellaneous petition is disposed of with the observation that the observation made by the learned Sub-Divisional Magistrate, Chandil in Misc. Case 45 of 2022 cannot be used as a declaration of right, title and interest of any of the parties by the learned Sub-Divisional Magistrate, Chandil in any future proceeding.

6. This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 16th September, 2026
AFR/Gunjan/-

Uploaded on 17/09/2026