IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 2786 of 2022

Anarshi Rai, aged about 77 years, S/o Jagdish Rai, R/o Dusadh Mohalla, Near Kali Mandir, Ward No. 3, Ramgarh Cantt. PO+PS+District- Ramgarh ... **Petitioner**

Versus

1. State of Jharkhand
2. Sanjay Kumar, S/o Chathi Lal Rai, R/o Dusadh Mohalla, Near Kali Mandir, Ward No. 3, Ramgarh Cantt. PO+PS+District- Ramgarh. ... **Opposite Parties**

For the Petitioner : Mr. Prabhash Kumar, Advocate
Mr. Manish Sharma, Advocate
For the State : Mr. Satish Prasad, Addl. P.P.
For the O.P. No.2 : Mr. Rishu Ranjan, Advocate

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

By the Court:- **I.A. No. 12399 of 2026**

This interlocutory application has been filed with a prayer to delete the name of opposite party no. 2 as the opposite party no. 2, namely, Sanjay Kumar has died on 21.07.2023.

Learned Addl. P.P. has no objection.

The prayer is made in this Interlocutory Application is allowed. Registry is directed to delete the name of the opposite party no. 2 from the cause-title of this Cr.M.P. and renumber the opposite party no. 1 as the sole opposite party.

This interlocutory application stands allowed accordingly.

(Anil Kumar Choudhary, J.)

Cr.M.P. No. 2786 of 2022

1. This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 482 of the Cr.P.C. with the prayer to quash the order dated 27.09.2019 passed by the learned C.J.M, Ramgarh in G.R. Case No. 387 of 2018 arising out of Patratu (Barkakana) P.S. Case No. 95 of 2018 whereby and whereunder the learned C.J.M., Ramgarh took cognizance against the petitioner for having committed the offences punishable under Sections 147, 148, 323, 341, 506 of I.P.C.

2. The allegation against the petitioner is that the petitioner was a member of unlawful assembly and in prosecution of the common object of the assembly caused hurt to the informant, wrongfully restrained him and criminally intimidated him. The complainant filed a Complaint Case No. 548 of 2017 before the learned C.J.M., Ramgarh which upon being referred to the Police under Section 156(3) of Cr.P.C. for registration of F.I.R.;

Police registered the F.I.R. of Patratu (Barkakana) P.S. Case No. 95 of 2018 and took up investigation of the case.

3. After completion of the investigation, Police found the allegations made in the First Information Report to be true and submitted the charge-sheet against the petitioner for having committed the offences punishable under Sections 147, 148, 323, 341 and 506 of I.P.C. Basing upon which the learned C.J.M., Ramgarh took cognizance of the said offences but the learned C.J.M. explained the substance of accusation to the petitioner only for the offences punishable under Sections 323, 341 and 506 of I.P.C.

4. The allegation against the petitioner is that the petitioner in furtherance of common intention with the co-accused persons assaulted the informant causing multiple injuries below his right eye and below his right knee and wrongfully restrained him and criminally intimidated him.

5. It is submitted by the learned counsel for the petitioner that though there were six accused persons out of which two are named, but there is no allegation against the petitioner of being armed with revolver, knife, lathi or rod while the co-accused persons are alleged to have been armed with such weapons. It is further submitted that the co-accused person,

namely, Sambhu Nath Rai has not been sent up for trial as during course of investigation, it was found out that he was in Chattisgarh and the same falsifies the entire allegations.

6. It is next submitted that there are major contradictions in the statement of the eye witnesses recorded by the Police under Section 161 of Cr.P.C. and though the victim claims that he received treatment in City Hospital, Ramgarh after the occurrence, but the injury report of the City Hospital has not been brought on record. It is next submitted that the petitioner has been implicated in this case because of a land dispute, hence, it is submitted that the prayer as prayed for in this Cr.M.P. be allowed.

7. The learned Addl. P.P. on the other hand vehemently opposes the prayer and submitted that the legal principle "*Falsus in uno, falsus in omnibus*" is not applicable in India. It is next submitted that land dispute is a double-edged weapon as when a land dispute may be a reason for false implication but in the same way it can also be a motive for causing hurt to the rival. Hence, it is submitted that merely because there is a land dispute between the parties, the same is not a sufficient ground to quash an entire criminal proceeding. It is next submitted that the undisputed fact remains that if the allegations made against

the petitioner are considered to be true in their entirety, then the offences in respect of which substance of accusation has been explained to the petitioner, is in fact being made out against the petitioner. Hence, it is submitted that the prayer as prayed for in this Cr.M.P. being without any merit be dismissed.

8. Having heard the submissions made in the Bar and after going through the materials made in the record, it is pertinent to mention here that the Hon'ble Supreme Court of India in the case of "**T.G. Krishnamurthy & Ors. v. State of Karnataka & Ors.**" passed in **Criminal Appeal No(s). 1265 of 2012 dated 17th August, 2023** reported in **2023 Live Law (SC) 671** has reiterated the settled principle of law that the principle governing "*Falsus in uno, falsus in omnibus*" has got no application to the Courts in India. So, merely, because allegation against one of the co-accused persons was found to be not true when the allegation against the petitioner was found to be true by the Police during the investigation of the case, the same cannot be a ground to quash the entire criminal proceeding. So far as the second contention of the petitioner that the case has been instituted because of the land dispute between the parties is concerned, as has rightly been submitted by the learned Addl.

P.P. that land dispute is double-edged weapon and it can be a motive to torment the other party by assaulting him and criminally intimidating him. So, merely, because there is a land bold dispute between the parties, that cannot be the sole ground for quashing the entire criminal proceeding when the allegations made against the petitioner if are treated to be true in their entirety is sufficient to constitute the offence in respect of which substance of accusation has been explained to the petitioner more so because such allegations were found to be true by the police during the investigation of the case.

9. Under such circumstances, this Court is of the considered view that this is not a fit case to accede to the prayer of the petitioner as made in this Criminal Miscellaneous Petition.

10. Accordingly, this Criminal Miscellaneous Petition being without any merit is dismissed.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 17th September, 2026
AFR/ Vedanti

Uploaded on 21.09.2026