IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 1024 of 2025
With
I.A. No. 13915 of 2025

Shashi Bhushan Singh aged about 52 years, son of Maksudan Singh, Resident of House No. 222, Hawai Nagar Road No. 5,Khunti Road, P.O. Hatia, P.S. Jagannathpur and District-Ranchi, Jharkhand

… … Petitioner

Versus

The State of Jharkhand through Central Bureau of Investigation (CBI)

… … Opp. Party

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Ajit Kumar, Senior Advocate
:Mr. Abhishek Mani, Advocate
: Ms. Akansha Agarwal, Advocate
For the Opp. Party : Mr. Devendra Kumar Bharati, Advocate

11/**26.10.2026** Heard the learned counsel appearing on behalf of the parties.

2. This criminal revision has been filed challenging the order dated 25.02.2021 passed in R.C. Case No. 17(A)/2013-R whereby the learned Special Judge, CBI, Ranchi has framed charge under Section 420 read with Section 120B of the IPC and under Section 13(2) read with Section 13(1) (d) of the Prevention of Corruption Act, 1988.

3. ***I.A. No. 13915 of 2025*** has been filed seeking condonation of delay of 1185 days in filing the criminal revision application.

4. The learned senior counsel for the petitioner has argued both on the point of condonation of delay and also on the merit of the criminal revision application.

5. ***While referring to the petition seeking condonation of delay*** in filing the criminal revision through I.A. No. 13915 of 2025, it has been submitted that during the pendency of the trial and also facing the departmental enquiry for same and similar allegation, the petitioner was much occupied in the proceedings regarding departmental enquiry and the petitioner has been exonerated in the departmental enquiry in the year 2022. He has further submitted that similar criminal case arising out of same set of facts and allegation was instituted against the petitioner being R.C. Case No. 18(S)/2013-

R in which the prayer for discharge was rejected and the matter travelled up to the Hon'ble Supreme Court in SLP which was converted in Criminal Appeal No. 2293 of 2025 and vide order dated 29.04.2025 the appeal was allowed and consequently the proceeding against the petitioner in connection with R.C. Case No. 18(S)/2013-R does not survive any more.

6. It has been submitted that after disposal of the case by the Hon'ble Supreme Court in connection with R.C. Case No. 18(S)/2013-R the petitioner filed the instant revision application which is arising out of a different case i.e. R.C. Case No. 17(A)/2013-R challenging the order framing charge.

7. It has been submitted that on account of the pendency of the case before the Hon'ble Supreme Court in connection with R.C. Case No. 18(S)/2013-R, there has been delay in taking steps in the present case arising out of R.C. Case No. 17(A)/2013-R which has resulted in delay of 1185 days in preferring the present criminal revision application.

8. ***So far as the merits of the case is concerned,*** the learned senior counsel for the petitioner has relied upon the judgment passed by the Hon'ble Supreme Court reported in Criminal Appeal No. 2293 of 2025 which was arising out of R.C. Case No. 18(S)/2013-R and has referred to paragraph 4 onwards and has submitted that the allegation against the petitioner and the specific role of the petitioner in the said case has been quoted in paragraph 5 of the judgement passed by the Hon'ble Supreme Court. He submits that the Hon'ble Supreme Court has observed that considering the position held by the petitioner as *Halka Karamchari* at highest his role was to make entries in the revenue records on the basis of registered sale deeds and initiate procedure for making mutations. It has also been held that even assuming that the petitioner recommended making of mutation on the basis of the registered sale deeds, none of the offence as alleged was made out against the petitioner. It was not the case of the prosecution that the sale deeds in favour of M/s. Sanjeevani Housing Company Limited were rather forged or fabricated.

9. The learned senior counsel has then referred to the allegation against the petitioner in the present case at page 79 and 80 of the criminal revision application and has submitted that the case of the petitioner stands on similar footing as that of the allegation which has been referred to in the judgement passed by the Hon'ble Supreme Court in paragraph 5, though arising out of a different case. Therefore, it is submitted that the order framing charge be set aside.

10. ***The learned counsel for the opposite party CBI*** has opposed the prayer and has submitted that the present case arises out of different FIR and the allegation against the petitioner are also different from that of R.C. Case No. 18(S)/2013-R and the petitioner cannot take any advantage of the order of the Hon'ble Supreme Court which has been passed in favour of the petitioner in Criminal Appeal No. 2293 of 2025 (Annexure-11) arising out of R.C. Case No. 18(S)/2013-R.

11. He has also submitted that arising out of the present case, the petitioner had moved Cr. M.P. No. 2867 of 2014 seeking quashing of the entire criminal proceedings in connection with R.C. Case No. 17(S)/2013-R dated 06.08.2013 but the same was dismissed by considering the materials on record. This court observed that in view of the allegations made against the petitioner, there was sufficient material to constitute prima facie case against the petitioner and the order impugned taking cognizance does not call for any interference. He submits that the said order passed by this court has been upheld by the Hon'ble Supreme Court in ***SLP (Criminal) No. 15372 of 2020*** vide order dated 01.10.2020.

12. The learned counsel has further submitted that the petitioner has also suppressed material facts before this court in as much as the order refusing to discharge the petitioner, as passed by the learned trial court, has not been challenged before this court and in the present proceeding, the petitioner is seeking to challenge only the order framing charge. The learned counsel has also submitted that the order refusing to discharge the petitioner has been placed at Annexure-5 to

the present application and the order is dated 27.02.2020, but the petitioner never challenged the order refusing to discharge.

13. ***He has further submitted that so far as condonation of delay is concerned,*** the explanation furnished by the petitioner is not fit to be accepted in as much as the two criminal cases are distinct proceedings and pendency of proceedings arising out of one criminal case cannot be a ground for not taking appropriate steps in the other criminal case.

14. He has further submitted that the trial is going on and ***07 prosecution witnesses*** have already been examined.

15. ***After hearing the learned counsel for the parties,*** there is no dispute that the case which was the petitioner pursuing before the Hon'ble Supreme Court relating to his order refusing to discharge was arising out of R.C. Case No. 18(S)/2013-R. The Hon'ble Supreme Court while considering the allegation against the petitioner has quoted the same in paragraph 5 of the judgment which is as under: -

" **As far as specific role attributed to the appellant is concerned apart from alleging conspiracy with the other co-accused, a specific role has been ascribed in clause (M) of the charge-sheet which reads thus:**

> **"(M) Investigation established that Shri Shashi Bhushan Singh was working and posted as (sic) Revenue (Halka) Karmachari during the period between 2006-2008 and was looking after halka covering the Pundag area. Investigation further established Shri Shashi Bhushan Singh was involved in processing of all mutation cases of M/s Sanjeevani Housing Company Ltd. of by Smt. Anita Dayal Nandi and had recommended for mutation in its favour even though he was having full knowledge that the said land belongs to SAIL Employees Housing Co-operative Society Ltd., Ranchi and is recorded in their name in Register-II. Further in conspiracy with M/s Sanjeevani Housing Company, he dishonestly opened separate page, in Register-II and made entries in respect of the aforesaid landed properties in the name of M/s Sanjeevani Housing Company represented by Smt. Anita Dayal Nandi & Others and thereby falsify the records/accounts. He also dishonestly recommended the excess mutation under plot no. 5059, Khata No. 275 and**

also under plot No. 5052, Khata No. 69 than actual land."

16. So far as the present case is concerned, it arises out of R.C. Case No. 17(A)/2013-R and the allegation against the petitioner in the charge sheet is quoted as under: -

> ***"Shri Shashi Bhushan Singh was posted as Halka Karmachari at Ratu Anchal during 2009-2010. He was looking after the Halka covering village Pundag. Investigation disclosed that, as against holding of 35.55 (19+16.55) decimal of land, Shri Shashi Bhushan Singh recommended mutation of 39.49 decimal.***
> ***Shri Shyam Sunder Nath Roy was given charge of the Halka covering village Pundag when the Nagri Anchal was formed. He also made suitable recommendations in respect of 06 mutation cases. 05 of such cases were mutated in favour of persons who purchased land through sale deeds executed by Shri Arvind Singh Director, M/s. Sanjeevani Buildcon (P) Ltd. on the strength of Power of Attorney No. IV/530 dated 19.02.2010 for 40 dismals. Investigation has disclosed that before the Nagri Anchal was formed mutation of 43.27 dismal against POA of 40 dismal was already done. Even though the land was already exhausted, Shri Shyam Sundarnath Roy recommended for excess mutations. Apart from the above Shri Shyam Sundarnath Roy recommended mutation of the 4.59 dismal land purchased by Shri Awadhesh Kumar Singh. In this transaction mutation of 04 cases covering 17.33 dismal was already done at Ratu Anchal on the recommendation of Shashi Bhushan Singh, Halka Karmahari against actual holding of 16.55 decimal.***
> ***Investigation thus disclosed that Shri Om Prakash Yadav, Shri Krishna Kumar, Shri Rajiv Ranjan, Shri Sashi Bhushan Singh, Shri Shyam Sundar Nath Roy in criminal conspiracy among themselves and with private persons abused their respective official positions and in pursuance thereof did excess mutations Further, in the site maps enclosed with the sale deeds only the dimension of the sold area was shown without any reference of the total plot (number 841) or the village map. Hence, from the map enclosed with the sale deed, the plot could not have been identified and verified to prove that the purchaser had possession of the land. But in order to extend pecuniary advantage to the directors of M/s. Sanjeevani Buildcon (P) Ltd., mutations were allowed on the report of Halka Karmacharies that purchaser was in possession of the plot.***

The acts aforesaid disclose commission of offences punishable under Section 120B r/w 420 IPC and Section 13(2) r/w 13(1) (d) of the PC Act, 1988."

17. Further, the learned trial court has framed charge against the petitioner for the alleged offence under Sections 120B read with Section 420 IPC and Section 13(1) (d) of the Prevention of Corruption Act and also further under Section 420 of IPC. The order framing charge page no. 103 is quoted as under: -

" I Anil Kumar Mishra Spl. Judge CBI, Ranchi do hereby charge you Shashi Bhushan Singh, Halka Karamchari at Ratu Circle Office Ranchi as follow-

Firstly, that you during the year 2009-2010 posted and functioning as Halka amchari, Ratu Circle Office, Ranchi by abusing your official position as public servant in criminal conspiracy with co-accused Anamika Dayal Nandi, Arbind Kumar Singh and Jayant Dayal Nandi all being the Directors of M/s Sanjeevani Buildcon Pvt. Ltd. Ranchi private person and other officials of Ratu, Nagri and Pundag Circle Office, Ranchi dishonestly and fraudulently, had entered into a criminal conspiracy, had made excess recommendation of 39.49 decimals of land as against holding of 35.55 decimals of land as such you were looking after the covering village of Pundag and on your recommendation with dishonest intention as such you did not cross checked the records deliberately so as to facilitate pecuniary advantage to the Directors of M/s Sanjeevani Buildcon Pvt. Ltd. in furtherance the said intention to cheat the purchasers and thereby you committed an offence of criminal conspiracy punishable U/s 120B r/w 420 of IPC and 13(2) r/w 13(1)(d) of PC Act 1988 and within my cognizance.

Secondly, that you alongwith other accused persons during the aforesaid period and at the aforesaid place in furtherance of the said criminal conspiracy cheated the victims/complainant and others dishonestly and fraudulently inducing them to deliver money to M/s. Sanjeevani Buildcon (P), Ltd. Ranchi and thereby committed the offence punishable U/s. 420 of the IPC and within my cognizance.

And I hereby directed that you be tried by this court on the said charge.

Charges are read over and explained to the accused in Hindi to which he did not plead guilty and claimed to be tried."

18. The fact remains that the order taking cognizance was challenged by the petitioner before this court in Cr. M. P. No. 2867 of 2014 which was dismissed vide order dated 18.10.2019 and the order has been upheld by the Hon'ble Supreme Court in SLP (Cr.) 15372 of 2020 dated 01.10.2020.

19. The fact also remains that the petitioner had filed an application seeking discharge before the learned court and the same was also dismissed vide order dated 27.02.2020 and the order refusing to discharge the petitioner which is a detailed order as contained in Annexure-5 has not been challenged by the petitioner.

20. The allegation against the petitioner as quoted by the Hon'ble Supreme Court in the SLP arising out of R.C. Case No. 18(S)/2013-R is certainly different from the allegations which have been levelled against the petitioner in the present case. In such circumstances, the petitioner cannot take any advantage of the judgement passed by the Hon'ble Supreme Court arising out of R.C. Case No. 18(S)/2013-R. Each case has to be seen on its own facts and merits.

21. The learned senior counsel for the petitioner has not made any other argument except that the allegations against the petitioner in the present case arising out of R.C. Case No. 17(S)/2013-R is same as that in R.C. Case No. 18(S)/2013-R which as discussed above is not acceptable.

22. This court is of the considered view that the petitioner cannot take any advantage of the order passed by the Hon'ble Supreme Court in Criminal Appeal No. 2293 of 2025 and the allegations in the said case arising out of R.C. Case No. 18(S)/2013-R is not identical as that of the present case against the petitioner.

23. This court finds no merit in this revision application challenging order framing charge , which is ***accordingly dismissed***.

24. So far as delay is concerned, this court is not satisfied with the ground that the petitioner was pursuing his case before Hon'ble Supreme Court in connection with another FIR being R.C. Case No. 18(S)/2013-R. Both the cases are separate and the petitioner was promptly required to take steps in both the cases. The explanation

furnished by the petitioner as argued seeking condonation of enormous delay of 1185 days is not acceptable. Further, the fact remains that the trial has already proceeded and 07 prosecution witnesses have already been examined. Accordingly, I.A. ***No. 13915 of 2025*** seeking condonation of delay is also dismissed.

25. Let this order be communicated to the concerned court through FAX/e-mail.

(Anubha Rawat Choudhary, J.)

Dated: 26.10.2026
Uploaded on 30.10.2026
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