IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (Cr.) No. 569 of 2026

Chaya Bhandari, aged about 46 years, wife of Shankar Bhandari, R/o Village Pandra, P.O. Nirsa, P.S. Nirsa, District Dhanbad

… … Petitioner

Versus

The State of Jharkhand through Anti-Corruption Bureau

… … Respondent

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Pratik Sen, Advocate
For the Respondent : Mr. Vineet Kumar Vashistha, Spl. P.P.

04/23rd September 2026

1. Heard the learned counsel appearing on behalf of the parties.

2. This writ petition has been filed for the following reliefs: -

"(a)) for issuance of a writ, order or direction in the nature of mandamus restraining the coercive steps against investigating authorities to take any further coercive steps against the petitioner in connection with A.C.B. (Dhanbad) P.S. Case No. 15/2017 dated 19.05.2017 corresponding to G.R. No. 1849/2017 for the alleged offence under Section 406, 409, 420, 467, 471, 468, 120 (B) of I.P.C. and u/s and 13 (2) read with section 13 (1) (c) (d) of P.C. Act 1988, which is now pending before the Learned Court of Additional Sessions Judge, Xth, cum Special Judge, Dhanbad,

And/Or

Any other writ(s) or appropriate direction(s) or order(s) as Your Lordships may deem fit and proper in view of the facts & circumstances of the case for doing conscionable justice to the Petitioner."

3. Learned counsel for the petitioner submits that the petitioner has been asked to appear on 10.06.2026 by issuance of a notice under Section 41-A of Cr. P.C. corresponding to Section 35(3) of BNSS and he submits that it is not clear from the notice as to whether the petitioner is called upon to appear as an accused or as a witness. The learned counsel has also

submitted that merely by referring Section 41-A of Cr. P.C, the same does not itself sufficient that the petitioner is being called upon as a proposed accused. The content of the notice is also required to be seen. He submits that under such circumstances, it would be sufficient if an observation is made that if any notice is issued to the petitioner, it should be made clear as to whether the petitioner is being called upon as an proposed accused or as an accused or as a witness in connection with the case. He has also submitted that the date of appearance fixed in the notice was 23.06.2026, which has already expired and the present case was filed on 27.08.2026.

4. Learned counsel for the opposite party-ACB has submitted that the date of appearance of the notice has expired, therefore, for all practical purposes, the case has become infructuous. He submits that if any fresh notice is issued to the petitioner, this aspect of the matter will be taken care of and it will be appropriately incorporated in the notice as to whether the petitioner is being called upon to appear as a proposed accused or as an accused or as a witness.

5. After hearing the learned counsel for the parties and considering the fact that the date of appearance, as mentioned in the notice dated 10.06.2026, which is 23.06.2026, has already expired, therefore. there is no need to make any further observation in connection with the notice except to observe that if any fresh notice is issued to the petitioner, it should clearly indicate as to whether the petitioner is being called upon as a proposed accused or as an accused or as a witness.

6. This writ petition is accordingly ***disposed of***.

7. Let a copy of this order be communicated to the A.C.B., Ranchi through ‘e-mail/FAX’.

(Anubha Rawat Choudhary, J.)

Dated: 23.09.2026
Uploaded On: 28.09.2026
Mukul/-