

Complaint Case No-180C/2024

Kranti Devi vs. Meena Devi and Ors.

25.03.2026

Today the record is fixed for consideration on the point of summoning.

1. Background

The present complaint has been filed by the complainant alleging that on 02.10.2024 at about 4:00 PM, the accused persons, in the background of a dispute relating to loan transactions of a self-help group, abused and assaulted her and her mother and also snatched a gold locket.

The complainant was examined on solemn affirmation (S.A.), and inquiry witnesses I.W.-01 Rajendra Sah and I.W.-02 Arhul Devi have also been examined. After compliance, the proposed accused persons have appeared and filed their objection/reply.

2. Submissions and materials on record

From the S.A. of the complainant, it appears that:

- She admits having taken a loan of ₹50,000 from the group and that an amount of ₹48,000 is still outstanding.
- The dispute arose when she requested an additional loan of ₹30,000 which was refused.
- She alleges assault and abuse by the accused persons.

From I.W.-01 (father of complainant):

- He states that the dispute arose out of the group loan issue.
- His presence at the place of occurrence is based on information given by a child; he reached later.
- He introduces an allegation of snatching of gold locket, which is not consistently corroborated in material particulars.

From I.W.-02 (mother of complainant):

- She states that the complainant had gone to request a loan and was refused.
- She claims assault and also alleges snatching of a gold locket.
- Her presence is also subsequent, upon receiving information.

From the objection/reply of the proposed accused:

- It is asserted that the complainant and her witness are defaulters of the group loan.
- It is further stated that the complaint has been filed to exert pressure to avoid repayment.

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- Minutes of meeting dated 03.10.2024 to 06.10.2024, signed by several group members, have been filed showing loan transactions and default.

3. Points for consideration

The primary question is whether, on the basis of S.A., inquiry evidence, and materials on record, sufficient grounds exist to proceed against the accused persons.

4. Analysis

Upon careful consideration of the entire materials, the following aspects emerge:

(i) Nature of dispute predominantly civil/financial

The genesis of the occurrence is admittedly a loan transaction within a self-help group. The complainant herself admits outstanding dues of ₹48,000. The refusal to extend further loan appears to be the immediate cause of the alleged incident. This strongly indicates that the dispute is essentially financial in nature.

(ii) Admitted liability and possibility of pressure tactics

The complainant's admission regarding outstanding loan amount lends support to the defence version that the complaint may have been instituted to exert pressure upon the group members to either extend further loan or waive existing liability.

(iii) Inconsistencies and embellishments

- The allegation of snatching of gold locket appears as an improvement and is not consistently and clearly established across all statements.
- There are material discrepancies regarding the sequence of events and participation of accused persons.
- The presence of witnesses at the exact time of occurrence is doubtful, as both I.W.-01 and I.W.-02 reached after receiving information.

(iv) Lack of independent corroboration

No independent witness from the locality or group members has been examined, despite the incident allegedly taking place on a public road and involving multiple persons.

5. Findings

In view of the above analysis, this Court finds that:

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- The allegations arise out of a financial dispute relating to loan transactions.
- The complainant has admitted outstanding liability, which probabilises the defence version.
- The evidence of inquiry witnesses is not wholly reliable and suffers from inconsistencies and improvements.
- Essential ingredients of alleged offences are not prima facie made out with sufficient certainty.
- The possibility of misuse of criminal process for settling a civil/financial dispute cannot be ruled out.

6. Order

In view of the above discussion and considering the entire materials available on record, I am of the considered opinion that no sufficient ground exists for proceeding against the proposed accused persons.

Accordingly, the complaint is **dismissed under Section 226 of the BNSS.**

Order accordingly.

Sd/-
(Mayank Kumar Pandey)
SDJM Manjhaul,
Begusarai