

In the Court of Sessions Judge, Munger
Criminal Revision No.- 65 of 2025

Arising out of Complaint Case No. 869c/2021

Ashok Mandal Vs. The State of Bihar & others

08.05.2026

1. The present Criminal Revision has been preferred against the order dated 28.05.2025 (hereinafter the impugned order) as passed by Ld. A.C.J.M.-I, Munger in Complaint Case No. 869c/2021 wherein the Ld. Trial Court dismissed the complaint petition of the complainant / revisionist u/s 203 Cr.P.C.
2. Briefly the complainant's case is that the property under Khesra No. 2897 (Area 27.478 decimals) was acquired for the Ganga Rail-cum-Road approach path. The complainant filed the complaint case alleging that the accused persons fraudulently received compensation of Rs. 75,26,538/- using a forged compromise deed. Hence the complainant preferred the present complaint case in which vide order dated 21.09.2022, the Ld. Trial Court found a prima facie case under Section 420 IPC and directed the issuance of summons against all the six accused persons. Thereafter aggrieved by the said order, the accused persons preferred Criminal Revision No. 01/2023 before this Court, which was allowed, setting aside the order dated 21.09.2022. Consequent after further inquiry, the Ld. Trial Court dismissed the complaint case u/s 203 Cr.P.C. vide order dated 28.05.2025, which stands impugned in the present Cr. Revision.
3. The Ld. Counsel for the revisionist has submitted that the impugned order is erroneous and illegal and the same has been passed in a mechanical manner without considering the material on record. That the Ld. Trial Court should have taken cognizance in the case. Hence he pleads that the impugned order be set aside.

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4. The Ld. Counsel for the opposite parties appeared and submitted that the impugned order is proper and legal and does not require any interference.
5. The Ld. A.P.P. opposed the prayer of the revisionist and submitted that the impugned order is legal and proper.
6. Heard the submissions of both the parties and perused the record of the case.
7. From perusal of the case record, it is apparent that the trial Court in its detailed impugned order herein came to the finding that the complainant has not placed on record proper evidence oral and documentary outlining a prima facie case. On perusal the dispute pertains to intra-family division of ancestral property and apportionment of compensation pursuant to land acquisition by the State. That from the record it is apparent that the complainant has not pursued any civil remedies or any proceedings under the Land Acquisition Act, 2013.
8. It is noted that in re: Md. Ibrahim & Ors Vs. State of Bihar & Anr¹ the Apex Court held that “this Court has time and again drawn attention to the growing tendency of complainants attempting to give the cloak of a criminal offence to matters which are essentially and purely civil in nature, obviously either to apply pressure on the accused, or out of enmity towards the accused, or to subject the accused to harassment. Criminal Courts should ensure that proceedings before it are not used for settling scores or to pressurize parties to settle civil disputes. But at the same, it should be noted that several disputes of a civil nature may also contain the ingredients of criminal offences and if so, will have to

¹ AIR 2010 SC (SUPP) 347

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be tried as criminal offences, even if they also amount to civil disputes.”

9. In my view in the present case essentially the issue seems to be civil in nature. Therefore, considering the record, the submissions of respective Ld. Counsels and in the totality of the facts and circumstances of the case, **I do not find any illegality and perversity in the impugned order, as such** the present Criminal Revision is hereby **Rejected**.

Dictated

(ALOK GUPTA)

Sessions Judge, Munger

Dated:- 08.05.2026