

In the Court of Sessions Judge, Munger

Criminal Revision No.- 24 of 2026

Arising out of Complaint Case No. 125c/2021

Sanjay Kumar Vs. Rajmati Devi

18.05.2026

1. The present Criminal Revision has been preferred against the order dated 29.10.2025 (hereinafter the impugned order) as passed by Sri Shaktiman Bharti, Ld. J.M.-Ist class Munger in Complaint Case No. 125c/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 he had given a loan amount of Rs. 4,50,000/- to the accused person and after sometime he requested for returning the said amount. That on repeated requests the accused towards returning the said amount gave a cheque under No. 079755 110002236 01393810 dated 11.11.2019 drawn on SBI Bank, Ghaziabad Branch, Uttar Pradesh for an amount of Rs. 4,50,000/-. However, upon presentation the said cheque was returned on the ground that it is a non-CTS cheque. The complainant has alleged that again he requested for returning the abovesaid amount and towards the same the accused called him on 31.01.2021 but when he approached her the accused person along with 3-4 unknown persons physically assaulted him and also fired upon him by a pistol. He has further alleged that his gold chain, watch, cash amount of Rs. 2,000/- and mobile phone were snatched away by the accused persons. Hence he preferred the present Complaint Case in which after recordal of the S.A and the respective statements of the inquiry witnesses, the said case has been dismissed by the Ld. Trial Court vide order dated 29.10.2025 and the same stands impugned in the present criminal 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 available on record. That the complainant and the inquiry witnesses have fully supported the case yet it was dismissed by the Ld. Trial Court reasoning that the case is civil in nature. Hence he pleads that the impugned order be set aside.

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4. The Ld. A.P.P. opposed the prayer of the revisionist and submitted that the impugned order is legal and proper.
5. Heard the submissions of the respective Ld. Counsels and perused the record of the case.
6. From the record, it seems that the dispute has arisen on financial transaction of money between the parties. 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 be tried as criminal offences, even if they also amount to civil disputes.”
7. In the present case it seems the issue essentially is civil in nature. Therefore, considering the record, submissions of the 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:- 18.05.2026

¹ AIR 2010 SC (SUPP) 347