

CJ. 11/10/22
08/1

IN THE COURT OF SMT KAVITA KUMARI
JUDICIAL MAGISTRATE FIRST CLASS, Katihar

Complaint Case No. 2507/2022

Ritesh Kumar V. Sangita Kumari and others

DATE	Order with initials of the Magistrate	Remarks
18-10-2025	1. Today the record is put up before me for the order. Representation petition has been filed on the behalf of complainant Ritesh Kumar by Ld. Counsel. 2. Perused the record. On perusal, it appears that complainant, Dr. Ritesh Kumar has filed this complaint case against the accused persons namely-1)Sangita Kumari, 2.Ram Vilash Pd. Raman and 3.Udit kumar u/s 406, 420, 364(A), 384, 506, 34 of Indian Penal Code, 1860 in the court of Ld. CJM, Katihar. 3. The allegations against the alleged accused is that Accused Romilas prasad Raman Agreed to sell the complainant a portion of land. Accordingly on dated 1912 2021 accused Sangeetha Kumari executed an agreement in favor of the complainant by receiving a sum of rupees 4,05,501/- out of the total consideration from the complainant. That the complainant paid rupees 5,00,000 95,000 to the accused number 1 and 2 through various bank transaction. Later on repeated demand of the rest seal consideration by accused number one and two the complainant issued to check in the favor of accuse numbers 1 Sangita Devi and deposited in her bank account. Total the complainant paid 29,00,000 95,000 in favor of accuse number 1&2. Later when the complainant went to the accused, the complainant was forcibly detained and logged inside in a room And threatened the complainant. 4. Thereafter the case was made over under section 192 of Cr.P.C. to this court for enquiry and further proceeding. On 13.12.2022 Subsequently the case was fixed for S.A. of complainant. S.A was recorded on 06.01.2023, During the S.A, the	

complainant stated that all the money which the complainant had paid before the registration of the land has been returned to him. Complainant has been adduce four inquiry witnesses namely 1. Dinesh Pd. Sah, 2. Anil Kumar Sah, 3. Nazir Alam and 4. Rajnarayan Jha. During the enquiry, all the enquiry witnesses stated that all the money which complainant had paid before the registration of the land has been returned.

5. Apparently, the foundational basis of the alleged offences—primarily revolving around cheating, criminal breach of trust, extortion, and related acts stemming from the non-refund of advance payments—stands negated by the complainant's own admission and the unanimous testimony of the witnesses. The return of the entire amount paid by the complainant vitiates the essential ingredients of the offences. There appears no prima facie cognitive material available on record in order to proceed. Hence further proceeding seems unwarranted.
6. Therefore, owing to the reason discussed above, no prima facie case has been made out and this court finds no good reason to proceed further in this case. Accordingly, the present complaint stands dismissed hereby under section 203 CrPC.

Manika Menla
18-10-2025
Judicial Magistrate First Class
Katihar