

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.202 of 2026

Rajiv Kumar Jha @ Rajeev Kumar Jha, aged about 53 years, son of
Late Kant Jha, resident of CD 249 Sector-III Dhurwa, P.O. and P.S.
Dhurwa, District- Ranchi ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

For the Petitioner : Mr. Nilesh Kumar, Advocate
Ms. Sonal Sodhani, Advocate
For the State : Ms. Priya Shrestha, Spl. P.P.

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

By the Court:- Heard the parties.

2. This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, with the prayer to quash the entire criminal prosecution including the First Information Report in connection with Jagannathpur P.S. Case No.458 of 2025 involving the offences punishable under Sections 406, 420, 467, 468, 469, 506, 120B of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the investigation of the case is still going on and charge-sheet has not yet been submitted in this case.

4. The allegation made in the F.I.R is that the co-accused persons, namely, Vinay Kumar Sinha, Vinay Kumar Choubey, Snigdha Singh entered into criminal conspiracy to divest the informant from his excellent profit-making concern in the name and style of Nexgen

Solution Technologies Pvt. Ltd and to capture the said company. In the process of doing the same, they in criminal conspiracy with each other, committed forgery for the purpose of cheating, forgery for the purpose of harming the reputation, forgery of valuable security, cheating and criminal breach of trust against the informant. Further, they committed the offence of criminal intimidation by threatening the informant and causing alarm as well. The only allegation against the petitioner is that the petitioner being the employee of the said company namely, Nexgen Solution Technologies Pvt. Ltd along with the co-accused Rajesh Kumar Sinha, against whom the entire criminal proceeding of this case has already been quashed and set aside by this Court vide judgment dated 02.02.2026 passed in Cr.M.P. No.204 of 2026, had a prominent role in institution of a police case against the informant of Jagannathpur P.S. Case No.458 of 2025 vide Jagannathpur P.S. Case No.243 of 2006.

5. Learned counsel for the petitioner draws the attention of this Court toward the copy of the F.I.R of Jagannathpur P.S. Case No.243 of 2006, which is the part of the present brief and the copy of which is appearing in page No.95 of the brief and submits that on 24.10.2006, the co-accused Rajesh Kumar Sinha @ Rajesh Sinha lodged the written report with the Officer-In-charge of the Jagannathpur Police Station, contending therein that the informant of Jagannathpur P.S. Case No.458 of 2025 being the Director of the said company, namely Nexgen Solution Technologies Pvt. Ltd. on 24.10.2006, committed theft of certain files of the company and cash of Rs.1,00,000/- and also committed criminal breach of trust. There was a compromise between

the co-accused Rajesh Kumar Sinha @ Rajesh Sinha and the informant of Jagannathpur P.S. Case No. 458 of 2025 after the informant of Jagannathpur P.S. Case No. 458 of 2025 was granted bail in that case and subsequently in view of the compromise, Final Form was submitted by police and the informant of Jagannathpur P.S. Case No. 458 of 2025 was not sent up for trial for lack of evidence in connection with Jagannathpur P.S. Case No.243 of 2006.

6. It is next submitted that the only allegation against the petitioner is that the petitioner was instrumental in tormenting the informant in the year 2006 though he is neither the informant of that case nor has he been cited as a witness in that case nor any specific role has been attributed to the petitioner; as to in what manner he played a prominent role in registration of alleged false case against the informant of Jagannathpur P.S. Case No. 458 of 2025. There is no allegation against the petitioner of entering into any criminal conspiracy nor is there any allegation against the petitioner of committing any forgery or cheating or criminal breach of trust. Further, there is no allegation against the petitioner of committing criminal intimidation either in his individual capacity or in conspiracy with co-accused persons. Hence, it is submitted that none of the offences in respect of which F.I.R has been registered in this case is made out even if the entire allegation against the petitioner is considered to be true in their entirety. Hence, it is submitted that the prayer as prayed for in this Cr.M.P. be allowed.

7. Learned Spl. P.P. appearing for the State on the other hand vehemently opposes the prayer of the petitioner made in this Cr.M.P. and submits that this Cr.M.P, being without any merit, be dismissed.

8. Having heard the rival submissions made at the Bar and after carefully going through the materials available in the record, this Court finds that the criminal conspiracy alleged in this case is against the co-accused persons namely Vinay Kumar Singh, Vinay Kumar Choubey, Snigdha Singh. There is absolutely no allegation against the petitioner of committing criminal breach of trust or cheating or forgery or criminal intimidation of the informant of Jagannathpur P.S. Case No.458 of 2025 either in his individual capacity or in criminal conspiracy with the co-accused persons.

9. Under such circumstances, this Court is of the considered view that even if the entire allegation made against the petitioner are considered to be true in the entirety, still the only allegation against the petitioner is that he played a prominent role in institution of a false case against the informant of Jagannathpur P.S. Case No. 458 of 2025 in the year 2006 by instituting Jagannathpur P.S. Case No. 243 of 2006 which ultimately ended in a compromise and Final Form was submitted by the police and the informant of Jagannathpur P.S. Case No. 458 of 2025 was not sent up for trial in Jagannathpur P.S. Case No. 243 of 2006. Thus, even if the entire allegations made against the petitioner are considered to be true in their entirety still none of the offences in respect of which the F.I.R has been registered is made out against the petitioner. Hence, this Court is of the considered view that the continuation of the

criminal proceeding against the petitioner will amount to abuse of process of law. Therefore, this is a fit case where the entire criminal prosecution including the First Information Report in connection with Jagannathpur P.S. Case No.458 of 2025 be quashed and set aside *qua* the petitioner only.

10. Accordingly, the entire criminal prosecution including the First Information Report in connection with Jagannathpur P.S. Case No.458 of 2025 is quashed and set aside *qua* the petitioner only.

11. In the result, this Criminal Miscellaneous Petition is allowed.

12. In view of disposal of the instant Cr.M.P., pending interlocutory application, if any, stands disposed of being infructuous.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 11th of February, 2026
AFR/ Animesh
Uploaded on- 16/02/2026