

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.354 of 2021

Anil Kumar Yadav	...	Petitioner
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Mahavir Pd. Sinha, Advocate
For the State	: Mr. Vineet Kr. Vashistha, Spl.P.P.

Order No:-09 Dated:-19-08-2025

I.A. No.7873 of 2024

Heard the parties.

Learned counsel for the petitioner submits that this interlocutory application has been filed with a prayer to implead the Secretary, Urban Development Department having office at Project Bhawan Dhurwa, P.O.- Dhurwa, P.S.- Jagannathrpur, District- Ranchi and Chandra Mohan Kashyap S/o Satyanayan Prasad as opposite party No.2 and 3 respectively of the instant Criminal Miscellaneous Petition.

Perusal of the record reveals that this Criminal Miscellaneous Petition has been filed with a prayer to quash the entire criminal proceeding of Dhanbad P.S. Case No.235 of 2020. Perusal of the record also reveals that Rajesh Kumar Singh, the Deputy Municipal Commissioner, Dhanbad is the informant of the case. The informant has not been arrayed as a party to the case. The two persons sought to be added as parties to the Criminal Miscellaneous Petition, are in no way associated with this case.

Learned counsel for the petitioner submits that the proposed opposite party No.2 floated a tender but till date, the proposed opposite party No.2 has not initiated any kind of recovery proceeding against M/s. Vyam Technologies Limited. It is next submitted that Mr. Chandra Mohan Kashyap was posted as Municipal Commissioner when FIR was registered against the petitioner. Hence, it is submitted that the prayer as prayed for in this interlocutory application be allowed.

Learned Spl.P.P. appearing for the State opposes the prayer of the petitioner made in this interlocutory application and submits that as the

proposed opposite party no.2 and 3 are not at all the necessary party, so far as the limited issues involved in this criminal miscellaneous petition of quashing the FIR hence there is no merit in the prayer made by the petitioner in this Interlocutory Application. It is lastly submitted that this Interlocutory Application being without any merit, be dismissed.

Having heard the rival submissions made at the Bar and after going through the materials available in the record, it transpires that the scope of this Criminal Miscellaneous Petition is very limited as to whether the entire criminal proceeding of Dhanbad P.S. Case No.235 of 2020 is to be quashed. It is apparent that in view of the limited prayer made in this Criminal Miscellaneous Petition and in view of the fact that the petitioner has not chosen to implead the informant as a party to this Criminal Miscellaneous Petition nor made any prayer for the same as yet, this Court is of the considered view that there is no justifiable reason to implead the Secretary, Urban Development Department having office at Project Bhawan Dhurwa, P.O.- Dhurwa, P.S.- Jagannathpur, District- Ranchi or Chandra Mohan Kashyap S/o Satyanayan Prasad as a party to this Criminal Miscellaneous Petition; as in the considered opinion of this Court, they are not necessary party to this Criminal Miscellaneous Petition.

Accordingly, the prayer to implead the Secretary, Urban Development Department having office at Project Bhawan Dhurwa, P.O.- Dhurwa, P.S.- Jagannathpur, District- Ranchi and Chandra Mohan Kashyap S/o Satyanayan Prasad as opposite party No.2 and 3 respectively of this Criminal Miscellaneous Petition, being without any merit, is rejected.

This interlocutory application is rejected accordingly.

(Anil Kumar Choudhary, J.)

Cr.M.P. No. 354 of 2021

Heard the parties.

Perusal of the record reveals that vide order dated 26.04.2024, time was granted to the petitioner subject to deposit of Rs.2,000/- by the petitioner with the Jharkhand State Legal Services Authority (JHALSA) and today also learned counsel for the petitioner again prays for time.

Prayer for time is allowed subject to deposit of Rs.4,000/- by the petitioner with the Jharkhand State Legal Services Authority (JHALSA) within four weeks from the date of this order; failing which, this Cr.M.P. shall stand dismissed without further reference to the Bench.

In case the petitioner files the proof of deposit of Rs.4,000/- by the petitioner with the Jharkhand State Legal Services Authority (JHALSA) within four weeks from the date of this order; list this Cr.M.P. after eight weeks.

(Anil Kumar Choudhary, J.)

Saroj/