

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Revision No. 108 of 2025

1.Sanjay Kumar Dubey		
2.Paresh Ghoshal		Petitioners
Versus		
1.The State of Jharkhand		
2.Sanjay Kumar Chakravorty		Opp. Parties
with		

Cr. Revision No. 533 of 2024

1.Sanjay Kumar Dubey		
2.Paresh Ghoshal		Petitioners
Versus		
1.The State of Jharkhand		
2.Sanjay Kumar Chakravorty		Opp. Parties

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioners	: Mr. Vishal Kumar Tiwary, Advocate
For the State	: Mr. Satish Prasad, APP (Cr. Rev.108/25)
	: Mrs. Nehala Sharmin, Spl.PP (Cr.Rev.533/24)
For the O.P. No.2	: Mr. Akhouri Awinash Kumar, Advocate

06/Dated:30th June, 2025

The Cr. Rev. No.108 of 2025 has been filed on behalf of the petitioners challenging the order dated 15.07.2024 passed by Sri Chandan, learned Chief Judicial Magistrate, Ranchi in Complaint Case No.2501 of 2013 by which the application filed by the O.P. No.2 under Section 311 of the Cr.P.C dated 22.05.2024 has been allowed and separate list of witnesses has been accepted for their examination.

2. The Cr. Rev. No.533 of 2024 has been filed on behalf of the petitioners challenging the order dated 21.03.2023 passed by Sri M.K. Singh, learned Chief Judicial Magistrate, Ranchi in Complaint Case No.2501 of 2013 by which the application filed on behalf of the O.P. No.2 dated 13.03.2023 has been allowed to pursue the complaint case against the petitioners after death of the original complainant.

3. Mr. Vishal Kumar Tiwary, learned counsel appearing for the petitioners in Cr. Rev. No.108 of 2025 and Cr. Rev. No.533 of 2024 submitted that the case had also been compromised between the original complainant and the petitioners and even the O.P. No.2 was witness in the said compromise petition i.e. A.B.P No.1805 of 2015 and the compromise between the parties was settled on 24.02.2016 before the Mediator, District Legal Service Authority, Civil Court Ranchi. However, the O.P. No.2 has been substituted by the learned Court below which is illegal and even the witnesses have been substituted which is contrary to law and hence the impugned orders dated 15.07.2024 (Cr. Rev. No.108 of 2025 and dated 21.03.2023 (Cr. Rev. No.533 of 2024 may be set aside.

4. On the other hand, Mr. Akhouri Awinash Kumar, learned counsel for the O.P. No.2 prayed for two weeks' time to file counter affidavit.

5. This Court finds that the son of the original complainant has not been substituted rather his brother has been substituted by the learned Court below in a case of civil dispute.

6. It appears to be a case of civil dispute between the parties.

7. Put up this case on 31.07.2025.

8. Till then, further proceeding pending in the Court of learned Chief Judicial Magistrate, Ranchi/or his Successor Court in Complaint case No.2501 of 2013 shall remain stayed.

(Sanjay Prasad, J.)