

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 1932 of 2024

1. Narsingh Kora aged about 46 years S/o Late Hindu Kora R/o Bhalupani, P.O.-Bhalupani, P.S.- Keraikella, Dist-West Singhbhum
 2. Gardi Sundi aged about 40 years S/o Late Upendra Sundi R/o Bagbera, P.O. & P.S.- Bagbera, Dist-West Singhbhum
 3. Ranjeet Banra aged about 43 years S/o Budhram Banra R/o Bantanagar, P.O. & P.S.- Adityapur, Dist- Seraikela-Kharsawan
 4. Sushil Deogam aged about 26 years S/o Bonj Deogam R/o Surjabasa, P.O.-Surjabasa, P.S.- Jhinkpani, Dist-West Singhbhum
 5. Arjun Deogam aged about 27 years S/o Ram Deogam R/o Surjabasa, P.O.-Surjabasa, P.S.- Jhinkpani, Dist-West Singhbhum
 6. Bhavendra Deogam about 20 years S/o Ram Deogam R/o R/o Surjabasa, P.O.- Surjabasa, P.S.- Jhinkpani, Dist-West Singhbhum
 7. Ajay Pareya aged about 32 years S/o Late Sikendra Pareya R/o Ladurabasa, P.O.- Barachiru, P.S-Muffasil, Dist- West Singhbhum
 8. Sameer Pareya @ Marshal aged about 30 years S/o Late Sikendra Pareya R/o Ladurabasa, P.O.- Barachiru, P.S.- Muffasil, Dist-West Singhbhum
 9. Hari Krishna Deogam @ Hudding Babu aged about 28 years S/o Lalmon Deogam R/o Kankosi, P.O.- Barachiru, P.S.- Muffasil, Dist- West Singhbhum
- Petitioners

Versus

The State of Jharkhand

..... Opposite Party

For the Petitioners : Mr. Amit Kumar, Adv.
Ms. Neha Kumari, Adv.
For the State : Mr. Pankaj Kumar, PP

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 482 of CrPC with the prayer for quashing and setting aside the entire criminal proceeding including the FIR in connection with Muffasil P.S. case no. 14 of 2022 corresponding to G.R. no. 142 of 2022 registered

under Section 124A, 153A, 153B, 420, 467, 505 (1) (b), 120B of the IPC.

3. The allegation against the petitioners is that the petitioners in criminal conspiracy with each other, were involved in offence of sedition, prompting enmity between different groups on the ground of place of birth and of making imputations, assertions, prejudicial to the national integration, cheating, forgery and making, publishing and circulating a statement and rumor with an intent to cause alarm to the public by forming an independent country namely Chaibasa-Kolhan-Government State and by forging documents, indulged in a recruitment test for recruitment of various posts for such government. On the basis of the written report submitted by the informant, the police registered Chaibasa P.S. case no. 14 of 2022 and took up the investigation of the case. After completion of the investigation, the police submitted chargesheet against the petitioners, finding the allegations against the petitioners to be true.
4. Learned counsel for the petitioners submits that though charge sheet was submitted on 23.01.2022 but as yet, the cognizance of the offence has not been taken by learned Magistrate and on being asked, as to what is the next date fixed and for what purpose, the next date is fixed, learned counsel for the petitioners submits that she does not know about that.
5. It is next submitted by learned counsel for the petitioners that the petitioners are innocent and nothing has been recovered from their conscious possessions and the main allegation is against Anand Chater and there is no specific allegation against the petitioners, hence, it is submitted that the prayer as made in this criminal miscellaneous petition be allowed.
6. Learned PP on the other hand vehemently opposes the prayer of the petitioners and submits that there is direct and specific allegation against the petitioners of indulging in each of the offences and charge sheet has been submitted against them and the case is fixed before learned ACJM to 14.10.2025, awaiting

- sanction for prosecution, hence, it is submitted that this Criminal Miscellaneous Petition being without any merit, be dismissed.
7. Having heard the submissions made at the Bar and after going through materials available in the record, this Court finds that there is direct and specific allegation against the petitioners of having committed the alleged offences in respect of which, charge sheet has been submitted against them and the only contention of the petitioners, is that the allegation made against the petitioners are false. It is settled principle of law, as has been held by the Hon'ble Supreme Court of India in the case of **State of Madhya Pradesh vs. Awadh Kishore Gupta** reported in **2004 2 Supreme 501**, that the defence of an accused person and the veracity of the evidence, put forth by the accused person, cannot be considered by the High Court in exercise of the power under Section 482 of CrPC.
 8. It is also a settled principle of law that the genuine prosecution cannot be stifled, in exercise of power under section 482 of CrPC by the High Court, as has been held by the Hon'ble Supreme Court of India in the case of **Monica Kumar (Dr.) & Another v. State of U.P. & Ors.** reported in **(2008) 8 SCC 781**.
 9. Considering the aforesaid facts, this Court is of the considered view that this is not a fit case, where the entire criminal proceeding including the FIR in connection with Muffasil P.S. case no. 14 of 2022 be quashed and set aside at this nascent stage, in exercise of the power under section 528 of the BNSS, in view of direct and specific allegation against the petitioners, more so when the charge sheet has already been submitted against them, after finding the allegations made against them to be true.
 10. Accordingly, this Criminal Miscellaneous Petition being without any merit is dismissed.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated, the 19th September, 2025
Smita / AFR