

(2024) 10 JH CK 0053

Jharkhand High Court

Case No: Criminal Miscellaneous Petition No. 1491 Of 2024

Rahul Kumar Pandey @ Rahul

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision: Oct. 17, 2024

Acts Referred:

- Code of Criminal Procedure, 1973 - Section 482
- Indian Penal Code, 1860 - Section 193

Hon'ble Judges: Anubha Rawat Choudhary, J

Bench: Single Bench

Advocate: Rakesh Kumar, Kumari Rashmi

Final Decision: Dismissed

Judgement

Anubha Rawat Choudhary, J

1. Heard the parties.Â Â Â

2. This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 482 of the Code of Criminal Procedure,

1973 with a prayer to quash and set aside the order dated 03.09.2015 passed by the learned Sessions Judge, Garhwa in Cr. Misc. Case No.17 of 2015

by which the learned Sessions Judge, Garhwa has directed the office to send the copy of the order along with the relevant documents mentioned in the

order itself to the court of Judicial Magistrate, Garhwa for registering an official complaint against Diwakar Kumar Dubey for having committed the

offence punishable under Section 193 of the Indian Penal Code and to proceed in accordance with law and also called for a show cause from the

petitioner.

3. The petitioner- Rahul Kumar Pandey @ Rahul is no way related with Diwakar Kumar Dubey. The petitioner has come to this court with a prayer

to quash the order for registering the official complaint against Diwakar Kumar Dubey.

4. When the learned counsel for the petitioner is asked by the Court as to what locus standi the petitioner of this Cr.M.P. namely Rahul Kumar

Pandey @ Rahul has to challenge the order by which an official complaint was directed to be lodged against Diwakar Kumar Dubey, learned counsel

for the petitioner submits that in the concluding paragraph of the said order Rahul Kumar Pandey @ Rahul was directed to appear and show-cause on

21.09.2015. This Court is of the considered view that since merely a show-cause has been called for by the Sessions Judge, Garhwa, so, the

petitioner- Rahul Kumar Pandey @ Rahul may file the show-cause before the Sessions Judge, Garhwa and there is no justifiable reason to interfere

with the same.

5. Accordingly, this petition, being without any merit, is dismissed.