
(2022) 04 JH CK 0010

In the Jharkhand High Court

Case No : Criminal Miscellaneous Petition No. 1009 Of 2021

Uttam Kumar

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 07-04-2022

Acts Referred:

Citation : (2022) 04 JH CK 0010

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Vijay Kumar Roy, Rishu Ranjan

Final Decision : Dismissed

Judgement

Sanjay Kumar Dwivedi, J

This petition has been filed for quashing the entire criminal proceeding in connection with Giridih (T) P.S. Case No.155/2020 for the offence registered u/s 467, 468, 471, 420, 34 of the Indian Penal Code, pending in the court of learned Chief Judicial Magistrate, Giridih.

The F.I.R was lodged by the informant namely, Pushpa Kujur, alleging therein that the informant made a written report to the Giridih(T) P.S. to the effect that received a letter no.2754(NB) dated 03.12.2019 through e.mail on 05.12.2019, according to which one informant had to select 75 school for trainer-cum-teacher for which appointment was to be made through NBSSD by the District Education Officer on the basis of interview together with Dy. Director, NBSSD. The eligibility for the candidates was to have D.C. certificate and stitching training certificate and had also to have qualification of intermediate under the age of 18-35. That the informant received letter no.725/NB dated 06.01.2020 wherein five candidates namely, Vinod Pandit, Umesh Kumar, Simpi Kumari Burnwal, Laxmi Kumari and Aftab Ansari were selected for further proceeding without observing the direction of letter no.2754 dated 03.12.2019. All the above five persons were directed to join but again the lists of selected candidates were sent sequeally

which cost doubts to the informant then, the informant suspended his earlier order dated 07.03.2020 and that on 17.08.2020 and 18.02.2020 the matter was published in the news paper also.

Mr. Vijay Kumar Roy, the learned counsel for the petitioner submits that one F.I.R has been lodged against this petition which is under challenge. He refers to the F.I.R lodged by this petitioner and submits that for the same cause of action this F.I.R is lodged. Thus, the argument of Mr. Roy, the learned counsel for the petitioner with regard to the second F.I.R is not tenable and at best it can be said that this is a counter blast case against the F.I.R lodged by the petitioner, however, looking to the allegations made in the F.I.R it transpires that there is allegation of fraudulent appointment. Only the F.I.R is under challenge in this petition. This case is not coming under the directions of Hon'ble Supreme Court in the case of 'State of Haryana v. Bhajanlal', particularly, direction nos. 1 to 7 of para no.102. There is no merit in this case.

Accordingly, Cr.M.P. No.1009 of 2021 is dismissed.