

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 1852 of 2021

Kaushik Dutt Petitioner
Versus
1. The State of Jharkhand.
2. Aniruddha Dutt Opposite Parties

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Pratik Sen, Advocate
For the State : Ms. Nehala Sharmin, A.P.P.
For the O.P. No. 2 : Mr. P.P.N. Roy, Sr. Advocate.

02/ 08.09.2021 This petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic.

Learned counsel appearing for the petitioner submits that pursuant to complaint filed by O.P. No. 2 Aniruddha Dutt, the case was referred to Lalpur Police Station under Section 156(3) of the Cr.P.C. by the learned Judicial Magistrate, 1st Class, Ranchi and the FIR has been lodged. He submits that the petitioner is not named in the FIR, in spite of that NBW and process under Section 82 Cr.P.C. have been directed to be issued against the petitioner by the learned Judicial Magistrate, 1st Class, Ranchi. He further submits that this case is fully covered by the judgment of the Hon'ble Supreme Court in the case of *Priyanka Srivastava & Anr. Versus State of Uttar Pradesh & Ors.*, reported in (2015) 6 SCC 287.

Issue notice to O.P. No. 2.

Mr. P.P.N. Roy, learned senior counsel has *suo motu* appeared in this case and he accepts notice on behalf of O.P. No. 2.

This FIR is also the subject matter of Cr.M.P. No. 1402 of 2019, which is coming on 21.09.2021.

In the meantime, no coercive steps shall be taken against the petitioner in connection with Complaint Case No. 1980 of 2018 (Lalpur P.S. Case No. 214 of 2018), pending in the Court of learned Judicial Magistrate, 1st Class, Ranchi.

Post this matter on 21.09.2021.

(Sanjay Kumar Dwivedi, J.)