

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(Cr.) No. 332 of 2025

1. Birendera Kumar Tiwari son of Ganesh Dutt Tiwari.
 2. Rajshree Banerjee, daughter of Late Hara Prasad Banerjee ... Petitioner(s).
- Versus
- The State of Jharkhand Respondent(s)

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : M/s Indrajit Sinha and Bibhash Sinha, Advocate.
For the State : Ms. Nirupama, AC to Sr. SC-I
For the Informant : Ms. J. Mazumdar, Advocate.

04/10.06.2025:
Learned counsel for the informant submits that she has received Vakalatnama from the informant and she wants to file the same by tomorrow.

Learned counsel for the State also wants to file counter affidavit.

This is an application for quashing of FIR. The same is against the Director Incharge Bokaro Steel Plant and the Executive Director (P&A) Bokaro Steel Plant. The allegation in the FIR is that a peaceful protest was being organized by a group of persons wherein, in the evening, the CISF personnel to disperse the crowd actively got themselves engaged in removing them by force, resulting in death of one of the protesters. It is also alleged in the FIR that the entire act was done on the instruction of the petitioners, who are the higher officials of the Bokaro Steel Plant.

Learned counsel for the petitioners submits that the area is prohibited area and in fact, the Circle Officer was given charge to look after the law and order situation of the area. He further submits that the Circle officer has already instituted an FIR on the aforesaid incident wherein, it is clear that it is the protesters who became unruly, which led to lathi-charge, resulted into the unfortunate incident. He also submits that there is nothing to suggest that it is the petitioners who had given any direction to murder/kill any one.

The counsel for the State as well as informant after going through the FIR submits that there is nothing in the FIR which suggests that the petitioners have committed the murder of the protester or have actively and physically participated in dispersing the group by using force. They submit that from the FIR, it is clear that an order was given to disperse the group.

Considering the aforesaid submissions, I am inclined to pass an interim order directing the respondents not to proceed in the investigation of the FIR being B.S. City P.S. Case No. 64/2025 registered under Sections 126(2), 127(2), 115(2), 117(2), 109, 103, 161(1) of BNS, 2023, pending in the Court of J.M, 1st Class, Bokaro and further no coercive steps will be taken against the petitioners.

List this case after twelve weeks.