

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No.48 of 2024

Devashish Banerjee @ Debashish Banerjee **Appellant**
Versus
The State of Jharkhand & Anr. **Respondents**

CORAM: HON'BLE MR. JUSTICE NAVNEET KUMAR

For the Appellant : Mr. R.S. Mazumdar, Sr. Advocate
For the State : Mrs. Ruby Pandey, APP
For the Respondent No.2 : Mr. Amrit Anunay, Advocate

11/19.02.2025 Heard Mr. R.S. Mazumdar, learned senior counsel appearing on behalf of the appellant and learned APP Mrs. Ruby Pandey appearing on behalf of the State assisted by Mr. Amrit Anunay, learned counsel appearing for the Respondent No.2.

2. Pursuant to the order dated 10.12.2024, two weeks' time was granted to the Respondent No.2 to file the counter affidavit, but till today, no counter affidavit has been filed.

3. Learned counsel appearing on behalf of Respondent No.2 further seeks three weeks' time to file counter affidavit in this case.

4. Learned senior counsel appearing on behalf of the appellant submitted that the order impugned is of dated 8th March 2022, by which, the discharge petition of the appellant has been rejected and this appeal is lingering for a long period of time since 23.01.2024. It is submitted that learned counsel appearing on behalf of Respondent No.2 is seeking adjournment on every occasions under one pretext or another and on earlier occasion also, an opportunity was afforded to Respondent No.2 vide order dated 10.12.2024 to file the counter affidavit, but no counter affidavit was filed and today also, learned counsel appearing for Respondent No.2 is seeking adjournment to file counter affidavit and therefore, it is prayed that in the interest of justice, let the criminal proceeding pending in the court below be stayed for the ends of justice.

5. Having been satisfied with the aforesaid submission advanced on behalf of the appellant, it is found just and fair to give interim relief to the appellant.

6. Accordingly, further proceeding in this case shall remain stayed till the next date in connection with SC/ST Case No.26 of 2016 arising out of Bankmore P.S. Case No.442 of 2009, pending in the Court of learned Special Judge-SC/ST, Dhanbad.

7. Put up this case on 24.03.2025.

(Navneet Kumar, J.)