

(2025:JHHC:18910)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.499 of 2025

Raj Kumar Yadav, aged about 55 years, son of Late Braham Deo Yadav, Resident of Near School Koderma, Mahavir Muhalla, Koderma, P.O. & P.S.-Koderma, District-Koderma.

... Petitioner

Versus

The State of Jharkhand

... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sachin Mahato, Advocate

For the State : Mr. P.K. Chatterjee, Spl.P.P.

Order No:-03 Dated:-11-07-2025

Heard the parties.

This Criminal Miscellaneous Petition has been filed by the petitioner with a prayer for restoration of A.B.A. No.2779 of 2024 to its original file which stood dismissed for non-compliance of peremptory order dated 16.01.2025.

It is submitted by the learned counsel for the petitioner that A.B.A. No.2779 of 2024 stood dismissed for non-compliance of peremptory order dated 16.01.2025 for filing a supplementary affidavit peremptorily within three weeks. It is next submitted that due to some medical emergency in family of the petitioner for which he was in Chennai, the learned counsel for the petitioner could not file the said supplementary affidavit within the stipulated time; which resulted in dismissal of the said A.B.A. No.2779 of 2024 for non-compliance of peremptory order dated 16.01.2025. It is next submitted that non-compliance of peremptory order dated 16.01.2025 was neither deliberate nor intentional. It is also submitted that the petitioner has very good grounds to agitate in the said A.B.A. No.2779 of 2024 and unless the same is restored to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that the A.B.A. No.2779 of 2024 be restored to its original file.

Learned counsel appearing for the State has not raised any serious objection.

Considering the aforesaid submission of the learned counsel for the petitioner and the facts of this case, A.B.A. No.2779 of 2024 is directed to be restored to its original file at the same stage at which it was before its dismissal.

Registry is directed to list A.B.A. No.2779 of 2024 before the concerned Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Abhiraj/