

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.782 of 2026

1. Vijay Mohan Raju, aged about 52 years, son of Late Ram Pyare Sinha,
2. Manisha Kumari, aged about 46 years, wife of Vijay Mohan Raju,
Both resident of Patel Nagar, P.O. & P.S.- Hatia, District-Ranchi, Jharkhand.

... Petitioners

Versus

1. The State of Jharkhand
2. Manish Kumar Singh, aged about 41 years, Son of Late Ramashray Singh, resident of Hatia, VLW Colony, P.O.-Hatia and P.S.- Jaganathpur, District Ranchi, Jharkhand.

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Avilash Kumar, Advocate
For the State : Mr. Vineet Kr. Vashistha, Spl.P.P.
For the O.P. No.2 : Mrs. Seema Kumari Singh, Advocate

Order No:-03 Dated:-10-07-2026

Heard the parties.

This Criminal Miscellaneous Petition has been filed with the prayer for restoration of Cr.M.P. No.2364 of 2023 to its original file which stood dismissed for non-compliance of the peremptory order dated 18.08.2025.

Learned counsel for the petitioners submits that Cr.M.P. No.2364 of 2023 was dismissed for non-compliance of the peremptory order dated 18.08.2025. It is next submitted that on 18.08.2025, the prayer for the petitioners to amend the instant Criminal Miscellaneous Petition was allowed and the petitioners were directed to file a consolidated Criminal Miscellaneous Petition within two weeks from the date of that order but the same could not be filed due to the inadvertent mistake on the part of the advocate's clerk; which resulted in dismissal of Cr.M.P. No.2364 of 2023 for non-compliance of the peremptory order dated 18.08.2025. It is next submitted that non-compliance of the peremptory order dated

18.08.2025 was neither deliberate nor intentional. It is further submitted that the petitioners have very good grounds to agitate in the said Cr.M.P. No.2364 of 2023 and unless the same is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the Cr.M.P. No.2364 of 2023 be restored to its original file.

Learned counsel appearing for the opposite party No.2 submits that the petitioners are deliberately delaying the disposal of the Cr.M.P. No.2364 of 2023. It is next submitted that the opposite party No.2 will unnecessarily be harassed if the same is restored to its original file, hence, the opposite party No.2 be compensated adequately.

Considering the aforesaid submission of the learned counsel for the petitioners and the facts of this case, Cr.M.P. No.2364 of 2023 is directed to be restored to its original file at the same stage at which it was before its dismissal subject to payment of cost of Rs.10,000/- by the petitioner to the opposite No.2 through his counsel appearing in the record and the petitioners are directed to file the proof of the payment of cost of Rs.10,000/- by the petitioners to the opposite No.2 through his counsel appearing in the record within four weeks from the date of this order; failing which, this conditional order shall not be given effect to and Cr.M.P. No.2364 of 2023 shall remain dismissed.

The Registry is directed to list Cr.M.P. No.2364 of 2023 after four weeks to its original file before the appropriate Bench if the learned counsel for the petitioners files the proof of the payment of cost of Rs.10,000/- by the petitioners to the opposite party No.2 through his counsel appearing in the record within four weeks from the date of this order.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated:- 10.07.2026
Saroj/