

IN THE HIGH COURT OF JHARKHAND AT RANCHI
CrMP No. 636 of 2024

Ramesh Kumar Singh ... Petitioner
Versus

The State of Jharkhand & Anr. ... Opp. parties

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Aditya Raman ,Adv.
For the State : Mr. Rajesh Kumar , Addl. PP.

07 / 25.09.2025

I.A. No. 13275 of 2025

Heard the parties.

Learned counsel for the petitioner submits that this interlocutory application has been filed with a prayer to modify the order dated 17.09.2025 by granting permission to serve the notice upon the opp. Party no. 2 through General Officer Commanding (G.O.C.), HQ-23, Inf. Div. Dipatoli Cantt., Ranchi, Jharkhand. It is further submitted by learned counsel for the petitioner that on 17.09.2025, this court ordered in this case for issuance of fresh notice upon the Opp. Party no. 2 and the petitioner was directed to file requisites for service of notice through both processes i.e. under the speed post as well as through the process of the court, within four weeks, failing this criminal miscellaneous petition shall stand dismissed without further reference to the Bench. It is next submitted that as the notice issued to the opp. Party no. 2 has returned with the report that the opp. Party no. 2 is not residing at the given address. It is then submitted that the opp. Party no. 2 has been transferred from Dipatoli Cantt., Ranchi and the present place of posting of the opp. Party no. 2 is not known to the petitioner, hence, it is submitted that the notice be served upon the opp. Party no. 2 through General Officer Commanding (G.O.C.), HQ-23, Inf. Div. Dipatoli Cantt., Ranchi, Jharkhand.

Having heard the submissions made at the bar and after going through the materials in the record, it is pertinent to mention here that the purpose of issuing the notice to the opp. Party no. 2 in a case, is not an empty formality. The duty is cast upon the petitioner to furnish the address of the Opp. Party in any criminal miscellaneous petition, so that the notice can effectively be served. When admittedly, the opp. Party no. 2 is no more staying at Dipatoli Cantt., Ranchi, there is no rhyme and reason to send the notice to the General Officer Commanding (G.O.C.), HQ-23, Inf. Div. Dipatoli Cantt., Ranchi, Jharkhand, hence, this Interlocutory Application being without any merit is dismissed.

(ANIL KUMAR CHOUDHARY, J.)

Dated 25.09.2025
Smita/-