

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. M.P. No. 753 of 2019

Narayan Dutt Gupta & Ors.

... .. Petitioners

Versus

The State of Jharkhand & Anr.

.... Opposite Parties

CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioners : Mr. J.K. Pasari, Advocate

For the State : Mr. Suraj Deo Munda, A.P.P.

For the O.P. No.2 : Mr. Pratiush Lala, Advocate

06/Dated: 28th January, 2025

I.A. No.1252 of 2023

1. Heard the parties.
2. Learned counsel for the petitioners has submitted that this interlocutory application has been filed with a prayer to amend para 1 of this Cr.M.P. by incorporating the additional prayer to quash the order dated 08.03.2021 by which the learned Chief Judicial Magistrate, Dhanbad has taken cognizance of the offence against the petitioners. It is further submitted that the present petition has been heard on 03.07.2019 and notice was issued to the opposite party No.2. After appearance of the opposite party No.2, an interim order was passed, "Till then, no coercive step shall be taken against these petitioners in connection with aforesaid case." It is further submitted that during pendency of the present petition, a counter affidavit has been filed by the opposite party No.1 stating *inter alia* that charge-sheet has been submitted against the petitioners and cognizance has also been taken by the learned court below on 08.03.2021 in spite of passing interim order by the Court for not taking coercive steps against the petitioners. However, the proposed amendment will not change the nature and character of this petition. It is further submitted that unless the proposed amendment is allowed, the petitioners will be highly prejudiced.

3. Considering the aforesaid facts, the prayer for amendment made in this interlocutory application as mentioned at para 10 is allowed.
4. Learned counsel for the petitioners is directed to make necessary correction in the main petition.
5. This interlocutory application is disposed off accordingly.

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6. Learned counsel for the opposite party No.2 seeks time to file counter affidavit within two weeks.
7. Prayer is allowed.
8. List this petition on 14.02.2025.
9. Till then, the interim order dated 27.08.2019 for not taking coercive steps against the petitioners shall continue.

(Pradeep Kumar Srivastava, J.)

Pappul/-