

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1082 of 2026

Sayed Mehara Majid Warsi @ Mithan @ Sayed Mehran Majid Warsi, aged about 17 years, minor represented through his father and natural guardian Sayed Miran Ahmed Fatmi @ Peer Sahab @ Sayed Miran Ahmed Fatmi Warsi @ Mithan @ Peer Sayed Miran Ahmad Fatmi Warsi, resident of Bhandaridih P.O. – Giridih, P.S. Giridih Town District Giridih.

... Petitioner

Versus

1. The State of Jharkhand
2. Sayeda Aqsa Fatma @ Jannatain daughter of Sayed Fasih Ahmad resident of village – Boro Airport Rod, P.O. + P.S. Pachamba District – Giridih.

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sanjay Kr. Singh, Advocate
For the State : Mrs. Nehala Sharmin, Spl.P.P.
For the O.P. No.2 : None

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

Heard the parties.

Though notice has been validly served upon the opposite party No.2 yet no one turns up on behalf of the opposite party No.2 in spite of repeated calls.

This Criminal Miscellaneous Petition has been filed by the petitioner with the prayer for restoration of Cr.M.P. No. 797 of 2024 to its original file which stood dismissed for non-prosecution vide order dated 12.03.2026.

Learned counsel for the petitioner submits that Cr.M.P. No. 797 of 2024 was dismissed for non-prosecution vide order dated 12.03.2026. It is next submitted that Cr.M.P. No. 797 of 2024 was listed before this Bench on 12.03.2026 but no one turned up on behalf of the petitioner when Cr.M.P. No. 797 of 2024 was called for hearing' as on the same day, Jharkhand State Bar Council Election was held and the counsel could not mark the cause list; which resulted in dismissal for non-

prosecution vide order dated 12.03.2026. It is further submitted that non-appearance of the learned counsel for the petitioner in this case on that day, was neither deliberate nor intentional. It is also submitted that the petitioner has very good grounds to agitate in the said Cr.M.P. No. 797 of 2024 and unless the same is restored to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that the Cr.M.P. No. 797 of 2024 be restored to its original file.

Learned counsel for the State has not raised any serious objection to the prayer of the petitioner.

Considering the aforesaid submission of the learned counsel for the petitioner, Cr.M.P. No. 797 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 Cr.M.P. No. 797 of 2024 before the appropriate Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated:- 10.07.2026
Saroj/