

(2025:JHHC:27955)

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 1600 of 2025

1. Kumar Abhishek, aged about 36 years, s/o Dinesh Singh
 2. Dinesh Singh @ Dinesh Kumar, aged about 70 years, s/o Bhagwati Prasad Singh
 3. Meera Singh @ Meera Sinha, aged about 55 years, w/o Dinesh Singh
- All resident of Barmasiya, Chirayaghat Road, P.O.-Giridih, P.S.-Giridih (T), Dist.-Giridih (Jharkhand), 815301

... Petitioner

Versus

1. The State of Jharkhand
2. Arvind Barnwal @ Arvind Kumar Barnwal, aged about 55 years, s/o late Suraj Narayan Barnwal, r/o Barmasiya, P.O.-Giridih, P.S.-Giridih (T), Dist.-Giridih (Jharkhand),

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Rahul Dev, Advocate
For the State : Mrs. Nehala Sharmin, Spl. P.P.

Order No.03 Dated- 12.09.2025

Heard the parties.

This criminal miscellaneous petition has been filed at the instance of the petitioners for restoration of Cr.M.P. No. 1602 of 2023 to its original file.

Learned counsel for the petitioners submits that Cr.M.P. No. 1602 of 2023 was dismissed for non-compliance of the peremptory order of removing the defects. It is next submitted that as the Advocate's clerk was in bad health, hence, he could not remove the defects within the stipulated time and the same resulted in dismissal of Cr.M.P. No. 1602 of 2023. It is further submitted that non-compliance of peremptory order was neither deliberate nor intentional. It is next submitted that the petitioners have very good grounds to agitate in the said Cr.M.P. No. 1602 of 2023 and unless Cr.M.P. No. 1602 of 2023 is restored to its original file, the petitioners will be highly prejudiced.

Hence, it is submitted that Cr.M.P. No. 1602 of 2023 be restored to its original file.

Considering the aforesaid facts of the case and the submission of the learned counsel for the petitioners, Cr.M.P. No. 1602 of 2023 is restored to its original file to the stage at which, it was before its dismissal.

List Cr.M.P. No. 1602 of 2023 under the appropriate heading before the appropriate bench after a week.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/