

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 552 of 2024

1. Dayanand Modi
2. M/s Chanani Transport Petitioners

Versus

1. The State of Jharkhand
2. M/s Abhay and Company ... Opp. Parties

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioners	:	Mr. R.S. Mazumdar, Sr. Advocate Miss Amrita Sinha, Advocate Mrs. Shweta Suman, Advocate Miss Pragunee Kashyap, Advocate
For the State	:	A.P.P
For the O.P. No.2	:	Mr. Rahul Pandey, Advocate

I.A. No.5036 of 2024

15/04.05.2026 Heard Mr. R.S. Mazumdar, learned senior counsel for the petitioner no.1, learned A.P.P as well as Mr. Rahul Pandey, learned counsel appearing for the opposite party no.2.

 This application has been preferred by the petitioner no.1 for exemption to surrender in terms of Rule 159 of the Jharkhand High Court Rules.

 The reason which has been assigned in the instant application is that the petitioner no.1 is suffering from Leukoencephalopathy diffuse hereditary with spheroids. The said disease, according to the learned senior counsel for the petitioner, leads to vanishing white material and is a progressive disorder which affects the brain and the central nervous system. It has also been submitted that the petitioner is undergoing treatment in National Institute of Mental Health and Neuroscience as well as Asia Institute of Nephrology and Urology. Various prescriptions in support of the physical condition of the petitioner have been brought on record.

 Mr. Rahul Pandey, learned counsel appearing for the opposite party no.2 has opposed the prayer for exemption to surrender made by the petitioner and has submitted that most of the prescriptions

are of the year 2023. He has further submitted that since it is an economic offence and the petitioner has been convicted, the prayer for exemption to surrender be rejected.

The prescriptions which have been brought on record are suggestive of the fact that the petitioner is suffering from serious disorders which tends to affect the brain. It also appears that the petitioner is aged about 65 years.

Considering the aforesaid facts I am inclined to exempt the petitioner to surrender in terms of Rule 159 of the Jharkhand High Court Rules.

I.A. No.5036 of 2024 stands disposed of.

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Since Mr. Rahul Pandey, learned counsel has put appearance on behalf of the opposite party no.2, no notice need be issued. It also appears that the trial court record has been received.

Let this case be listed under the heading for 'Admission' on 22nd July 2026.

(Rongon Mukhopadhyay, J.)

Shamim/-
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