

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.2152 of 2025

Md. Mozim @ Md. Muzim @ Md. Mojeem aged about 52 years
son of Md. Alimuddin, resident of village- Kalyanpur, P.O.-
Karni, P.S. Itkhor, District- Chatra.

... Petitioner

Versus

1. The State of Jharkhand
2. Chanchala Devi w/o Pramanand Ram, resident of Village-
Mauna, P.O.- Mayapur, P.S.- Maurhand District- Chatra

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sarvendra Kumar, Advocate
For the State : Mr. V.S. Sahay, Addl.P.P.
For the OP No.2 : None

Order No:-03 Dated:-20-02-2026

Heard the parties.

Though notice has validly been 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. 361 of 2019 to its original file which stood dismissed for non-prosecution vide order dated 15.07.2025.

Learned counsel for the petitioner submits that Cr.M.P. No. 361 of 2019 stood dismissed for non-prosecution vide order dated 15.07.2025. It is next submitted that Cr.M.P. No. 361 of 2019 was listed before this Court on 15.07.2025 and no one turned up on behalf of the petitioner in spite of repeated calls when Cr.M.P. No. 361 of 2019 was called for hearing as due to inadvertence, Advocate's Clerk of the conducting counsel could not mark this case in his cause list; which resulted in dismissal of the said Cr.M.P. No. 361 of 2019 for non-prosecution vide order dated 15.07.2025. It is further submitted that non-appearance of the learned counsel for the petitioner before this Court 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. 361 of 2019 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. 361 of 2019 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. 361 of 2019 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. 361 of 2019 before the appropriate Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated:- 20.02.2026
Saroj/