

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1990 of 2021

Abhay Kumar Mishra, Aged about 48 years. Son of Shri Surya Nath Mishra Resident of House No 14, Road No 1, Birsanagar, PO. Hatia P.S Jagannathpur, District-Ranchi, presently the Secretary, Shri Ram Krishna Seva Sangh and Secretary-cum-Manager, Vivekanand Vidya Mandir run through Shri Ram Krishna Seva Sangh ... Petitioner

Versus

1. The State of Jharkhand through Director General of Police, Jharkhand, having its office at Police headquarters Dhurwa, Ranchi, P.O. and P.S. Dhurwa, District Ranchi
2. Deputy Inspector General of Police, South Chotanagpur Range, having its office at P.O. and P.S. Doranda, Ranchi, District Ranchi
3. S.S.P. Ranchi, having its office at P.O. and P.S. Ranchi, District Ranchi

... Opposite Parties

With

W.P. (Cr.) No.358 of 2019

Sri Ram Krishna Seva Sangh/Vivekanand Vidya Mandir through its Secretary-cum-Manager Abhay Kumar Mishra ... Petitioner

Versus

The State of Jharkhand & Others ... Respondents

With

W.P. (Cr.) No.268 of 2021

Abhay Kumar Mishra ... Petitioner

Versus

The State of Jharkhand & Others ... Respondents

With

Cr.M.P. No.2179 of 2021

Kashi Nath Mukherjee & Another ... Petitioners

Versus

The State of Jharkhand & Others ... Opposite Parties

With

Cr.M.P. No.2353 of 2021

Malay Kumar Nandi & Another ... Petitioners

Versus

The State of Jharkhand & Others ... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Ajit Kumar, Sr. Advocate
Mr. Krishna Prajapati, Advocate
Mr. Manoj Kr. Choubey, Advocate
For the State : Mrs. Priya Shrestha, Spl.P.P.
For the C.B.I. : Mr. Anil Kumar, Addl. S.G.I.
Ms. Chandana Kumari, AC to Addl. S.G.I.
Mr. Kr. Swapnil, AC to Addl. S.G.I.
For the O.P. No.2 : Mr. Mahesh Tewari (In person)

Order No:-15 Dated:-13-09-2024

I.A. No.8164 of 2022 in Cr.M.P. No.1990 of 2021

Heard the parties.

This interlocutory application has been filed with a prayer to amend the instant Cr.M.P. by making the additional prayer of quashing the order dated 24.08.2021 passed in Jagarnathpur P.S. Case No.314 of 2017 corresponding to G.R. No.4984 of 2017 pending in the court of learned Judicial Magistrate, Ranchi. It is submitted by the learned senior counsel for the petitioner that due to inadvertence, the said order could not be challenged by the petitioner in the original Cr.M.P. It is further submitted that the proposed amendment will not change the nature and character of the instant Cr.M.P. It is next submitted that unless the proposed amendments are allowed, the petitioner will be highly prejudiced.

Learned Special Public Prosecutor and the opposite parties, appearing in person, has no serious objection to the said prayer made by the petitioner.

Considering the facts of the case, the prayer to carry out the proposed amendments as prayed for in the instant interlocutory application, is allowed.

The petitioner is directed to file a consolidated Cr.M.P. incorporating the proposed amendments as mentioned in paragraph-15 of the instant Cr.M.P. within two weeks from the date of this order failing which; this Cr.M.P. shall stand dismissed without further reference to the Bench.

Accordingly, this interlocutory application stands allowed.

(Anil Kumar Choudhary, J.)

I.A. No.1212 of 2023 in Cr.M.P. No.1990 of 2021

Heard the parties.

The opposite party No.2 appearing in person submits that interlocutory application has been filed with a prayer to vacate the order of no coercive steps issued in favour of the petitioner vide order dated 15.09.2021 passed in I.A. No.4808 of 2021 and extended by various orders, to be taken up today.

Learned senior counsel for the petitioner submits that since the instant Cr.M.P. can be disposed of by the next date of listing, hence, the very purpose of filing the instant Cr.M.P. will be frustrated if the stay is vacated.

Considering the facts of the case, it is ordered that this interlocutory application shall be taken up on the next date of listing of this case.

(Anil Kumar Choudhary, J.)

**Cr.M.P. No.1990 of 2021 with W.P. (Cr.) No.358 of 2019
with W.P. (Cr.) No.268 of 2021 with Cr.M.P. No.2179
of 2021 with Cr.M.P. No.2353 of 2021**

List these cases after filing of the consolidated Cr.M.P of Cr.M.P. No.1990 of 2021.

The interim order passed vide order dated 15.09.2021 passed in Cr.M.P. No.1990 of 2021 shall continue till the next date of listing of Cr.M.P. No.1990 of 2021.

(Anil Kumar Choudhary, J.)