

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 2641 of 2025

Shikha Mandal, aged about 39 years, d/o Kebal Bagani, r/o Adhata,
P.O. & P.S.-Adhata, Dist.-North 24 Parganas, West Bengal

.... Petitioner

Versus

The State of Jharkhand

.... Opp. Party

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

.....

For the Petitioner : Mr. Nikhil Ranjan, Advocate
For the State : Mr. Rajesh Kumar, Addl. P.P.

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By the Court:-

1. Heard the parties.
2. This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 528 of B.N.S.S. with a prayer to direct the learned Judicial Magistrate 1st Class, Dhanbad to dispose of the petition filed under Section 503 of B.N.S.S. which has been registered as MCA No. 5352 of 2024, at the earliest.
3. It is submitted by the learned counsel for the petitioner that the Pick-up Van bearing registration No. WB-25K-9749 of the petitioner, has been seized by the police in connection with Nirsa P.S. Case No. 90 of 2023 on 14.03.2023. The petitioner filed a petition for release of the said vehicle on 24.07.2024 and the learned Judicial Magistrate 1st Class, Dhanbad called for a report from the police. It is next submitted by the learned counsel for the petitioner that the police

submitted its report on 30.11.2024 but under the erroneous impression that the report has not been submitted, on 08.05.2025, the learned Judicial Magistrate 1st Class, Dhanbad has deferred the hearing of the said MCA. It is further submitted by the learned counsel for the petitioner that on 12.03.2025 the petitioner prayed for time to file some case law and thereafter though the petitioner is ready for hearing but the learned Judicial Magistrate 1st Class, Dhanbad is not disposing of the said MCA No. 5352 of 2024. Hence, it is submitted that the prayer as prayed for in this criminal miscellaneous petition be allowed.

4. Learned Addl. P.P. appearing for the State has no serious objection.
5. Having heard the submissions made at the Bar and after going through the materials in the record, keeping in view the fact that the vehicle in question has been lying in a police station for more than two years as claimed by the petitioner, this criminal miscellaneous petition is disposed of with a direction to the learned Judicial Magistrate 1st Class, Dhanbad to dispose of MCA No. 5352 of 2024 on the next date of listing of Nirsa P.S. Case No. 90 of 2023 without giving any adjournment to the petitioner even if it is prayed for by the petitioner.
6. In the result, this criminal miscellaneous petition is disposed of with the aforesaid direction.

(Anil Kumar Choudhary, J.)