

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Revision No. 1153 of 2025

Nikhil Kumar Proprietor of New Homes, Petitioner

Versus

The State of Jharkhand & Another Opposite Parties

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Shashank Shekhar Prasad, Advocate

For the Opposite Parties : A.P.P.

03/27.07.2026 Mr. Shashank Shekhar Prasad, learned counsel for the petitioner has submitted that the amount of Rs. 15,00,000/- which was undertaken by the petitioner as reflected in the order dated 25.11.2025, till date, has not been arranged by the petitioner.

It appears that despite the repeated assurances on behalf of the petitioner the amount of Rs. 15,00,000/- till date has not been extended to the opposite party no. 2. In fact, the application preferred by the petitioner for exemption to surrender in terms of 159 of the High Court of Jharkhand Rules, 2001 was allowed on 25.11.2025 by a Co-ordinate Bench of this Court by giving the following directions.

“In view of the above and considering that the matter is arising out of Section 138 of the NI Act and further as per the direction of the co-ordinate bench by the order dated 27.03.2025, petitioner has already paid a sum of Rs. 5 lakh to the O.P. No. 2 and on instruction, it has been submitted by the learned counsel appearing for the petitioner that the remaining amount of Rs. 15 lakhs will be paid to the O.P. No. 2 within two weeks from today, the court finds that exceptional ground is made out to exempt the petitioner to surrender before the learned court, under Rule 159 of the High Court of Jharkhand Rules, 2001. As such, the petitioner is exempted to surrender before the learned court.”

Since the petitioner has apparently flouted the order dated 25.11.2025 passed by a Co-ordinate Bench of this Court and as per the submissions advanced by the learned counsel for the petitioner despite repeated efforts, the amount is not being extended to the opposite party no. 2 by the petitioner, it would be in the circumstances noted above appropriate that the matter be heard by the same Bench which had pass

the order dated 25.11.2025. Accordingly, let this case go out of my list to be placed before the appropriate Bench with the permission of Hon'ble the Chief Justice.

(Rongon Mukhopadhyay, J)

*27th July,, 2026.
Simran/-*