

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 3278 of 2024

Madhu Kora @ Madhu Koda, aged about 52 years,
son of Sri Rasika Korah, resident of Village
Patahatu, P.O. Muluka, Jagannathpur, P.S. Gua,
District West Singhbhum.

Enforcement Directorate Versus Petitioner

Opposite Party

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Navin Kumar Singh, Advocate.
For the ED : Mr. Amit Kumar Das, Advocate.

04/ 08.05.2026 This criminal miscellaneous petition has been filed for restoration of Cr.M.P. No. 1730 of 2023 to its original file, which was dismissed for default due to non-compliance of peremptory order dated 12.07.2024 passed by this court.

2. Learned counsel appearing for the petitioner submits that inadvertently the typed copy of certain pages has not been filed within the peremptory time and due to that the said Cr.M.P. has been dismissed for default. He next submits that the said Cr.M.P. has not been decided on merits and in view of that the said Cr.M.P. may kindly be restored to its original file.

3. Learned counsel appearing for the ED has opposed the prayer and submits that this petitioner has previously filed Criminal Revision No. 1020 of 2018 against the order dated 13.06.2018, by which, the charge has been framed against the petitioner. He next submits that the said criminal revision was admitted vide order dated 08.11.2023 and interim order of stay was granted, in furtherance of which, the ongoing trial before the learned court was stayed. He further submits that as the stay was granted, the petitioner deliberately did not pursue Cr.M.P. No. 1730 of 2023 and allowed it to be dismissed for default. He then submits that the said Cr.M.P. was itself devoid of any

merit and filed only to protract the trial. On these grounds, he submits that this petition may kindly be rejected.

4. Learned counsel appearing for the petitioner submits that the petitioner has filed a petition before the learned court for alteration of charge in light of the judgment of Hon'ble Supreme Court in the case of *Vijay Madan Lal Versus Union of India*, reported in (2023) 12 SCC 1, which was disposed of saying that the same will be taken into consideration in course of the trial and that was challenged in Cr.M.P. No. 1730 of 2023.

5. In view of the above and considering that the aforementioned Cr.M.P. No. 1730 of 2023 has been dismissed for default and not decided on merit and further in the interest of justice, it is desirable that the said Cr.M.P. be decided on merits. As such, the court finds that sufficient ground is made out for restoration of Cr.M.P. No. 1730 of 2023. As such, Cr.M.P. No. 1730 of 2023 is restored to its original file.

6. This criminal miscellaneous petition is allowed and disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated:-08.05.2026
Amitesh/-