

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 259 of 2025

Devendra Das

.....Petitioner

Versus

1. The State of Jharkhand

2. Tata Motors Finance Ltd.

.....Opp. Parties

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Anjani Kumar, Advocate

For the State : Mr. Sunil Kr. Dubey, A.P.P

Order No: 02/ Dated: 19.03.2025

I.A No. 12672 of 2024

1. I.A No. 12672 of 2024 has been filed on behalf of the petitioner for condoning the delay of 197 days in filing this instant Criminal Revision Application.

2. Learned counsel for the petitioner has submitted that due to financial crunch, the petitioner could not file this Criminal Revision Application within time and hence, the delay of 197 days in filing this Criminal Revision Application may be condoned.

3. Learned counsel for the State raised objection.

4. Having heard learned counsel for both the sides and in view of the averments made in Paragraph Nos. 4 to 7 of the I.A No. 12672 of 2024, the delay of 197 days in filing this instant Criminal Revision Application is hereby condoned.

5. Thus, I.A No. 12672 of 2024 is allowed and stands disposed of.

Cr. Revision No. 182 of 2025

6. This Criminal Revision Application has been filed on behalf of the petitioner by challenging the judgment dated 13.02.2024 passed in Criminal Appeal No. 99 of 2023 by Sri Anil Kumar Mishra, No.1, learned Sessions Judge, East

Singhbhum, Jamshedpur by which the appeal filed on behalf of the petitioner has been dismissed thereby, affirming the judgment of conviction and order of sentence dated 27.04.2023 passed by Sri Vikash Kumar Bhagat, learned Judicial Magistrate, 1st Class, Jamshedpur in connection with Complaint Case No. 2196 of 2016, by which the petitioner has been convicted for the offence under Section 138 of the N.I Act and sentenced to undergo imprisonment for one (01) year and also to pay the fine of Rs. 11,30,000/- to the complainant.

7. Heard Mr. Anjani Kumar, learned counsel for the petitioner and Mr. Sunil Kumar Dubey, learned counsel appearing on behalf of the State.

8. I.A. No. 12670 of 2024 has been filed on behalf of the petitioner for grant of bail during pendency of this Criminal Revision Application.

9. Learned counsel for the petitioner has submitted that the impugned judgments and order of sentence passed by the learned Courts below are illegal, arbitrary and not sustainable in the eye of law. It is submitted that the petitioner will deposit a demand draft of Rs. 50,000/- after being released from jail within ten (10) days and will also deposit Rs. 50,000/- within one (01) month thereafter in the name of O.P No. 2 and the petitioner is also ready to settle the dispute with O.P No.2 and hence, the petitioner may be enlarged on bail.

10. Learned counsel for the State raised no objection.

11. Considering the fact that the petitioner is in custody since 29.09.2024 (i.e. for around six months) out of S.I of one (01) year and also considering the fact that the petitioner is ready to deposit Rs. 50,000/- by way of demand draft in the name of O.P No.2, the

petitioner namely Devendra Das is directed to released on provisional bail for a period of four (04) months from today on furnishing bail bonds of Rs. 10,000/- with two surities of the like amount each to the satisfaction of Sri Vikash Kumar Bhagat, learned Judicial Magistrate, 1st Class, Jamshedpur in connection with Complaint Case No. 2196 of 2016.

12. However, the petitioner shall file supplementary affidavit regarding deposit of Rs. 50,000/- by way of demand draft in the name of O.P No.2 before the learned Court below, before this Court.

13. Thus, I.A. No. 12670 of 2024 is allowed and stands disposed of.

14. Issue notice to O.P No. 2 as to why this case may not be admitted and/or disposed of at the stage of admission itself and for which requisites etc. under registered cover with A/D as well as under ordinary process must be filed by day after tomorrow.

15. Call for the scanned copy of the Trial Court Records as well as records of the learned Appellate Court..

16. Put up this case on 7th April 2025.

17. In the meantime, it will also be open to the learned counsel for the petitioner to send notice in this case upon O.P No.2 by e-mail also.

(Sanjay Prasad, J.)

Avinash/