

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision (Filing) No. 28282 of 2024

....

Dulal Das, aged about 67 years, S/o Late Jerawar Das, R/o South Balihari, PO- Kusunda, PS- Putki and District- Dhanbad

..... Petitioner

Versus

1. The State of Jharkhand
2. Munna Kumar Rawani, S/o Jay Ram Rawani, R/o Near Durga Mandir, Vivek Nagar, South Balihari, PO- Kusunda, PS-Putki and District- Dhanbad

..... Opp. Parties

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the petitioner : Mr. Sidhartha Roy, Advocate

For the State : Mr. Satish Kumar Keshri, A. P. P.

For the O. P. No. 2: None.

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I.A. No. 761 of 2025

05/23.06.2025 Heard learned counsel for the petitioner and learned counsel for the State.

2. The instant I.A. No. 761 of 2025 has been filed under Section 5 of the Limitation Act for condoning the delay of 94 days in filing the instant Cr. Revision (Filing) No. 28282 of 2024.

3. It has been submitted by the learned counsel for the petitioner that there is delay of 94 days in filing the Cr. Revision (Filing) No. 28282 of 2024. It is submitted that the petitioner is an old aged person and suffering from diabetic and due to financial crunch, the petitioner could not file the Criminal Revision Application within time and as such, delay of 94 days in preferring the instant Criminal Revision Application may be condoned.

4. Learned counsel for the State has opposed the prayer.

5. Having heard learned counsel for both the sides and also in view of the averments made in para- 5 to 7 of the instant I.A. No. 761 of 2025 and taking lenient view, the delay

of 94 days in preferring the instant Cr. Revision (Filing) No. 28282 of 2024 is, hereby, condoned.

6. Thus, I.A. No. 761 of 2025 is allowed and stands disposed of.

Cr. Revision (Filing) No. 28282 of 2024

7. I.A. No. 814 of 2025 has been filed on behalf of the petitioner under Rule 159 of High Court of Jharkhand Rules, seeking exemption from surrendering before the learned Court below.

8. Learned counsel for the petitioner has submitted that the petitioner has paid 20% of the fine amount of Rs. 95,000/- before the Appellate Court below and copy of the said payment has been enclosed as Annexure- 1 to the I. A. No. 814 of 2025. It is further submitted that the petitioner is further ready to deposit 30 % of the amount i.e. Rs. 30,000/- and hence, he may be exempted from surrendering before the learned Court below.

9. Issue notice to the opposite party no. 2 in the matter of exemption of surrender as well as in the admission matter as to why this Criminal Revision Application be not admitted and/or disposed of at the admission stage itself and for which requisites etc. under registered cover with A/D and ordinary process must be filed within two weeks from today, failing which this Criminal Revision Application shall stand dismissed without further reference to the Bench.

10. Call for the scanned copy of the Lower Court Records

11. If requisites are filed, put up this case on 13.08.2025.

12. Till then, no coercive steps shall be taken against the petitioner.

(Sanjay Prasad, J.)