

[2026:JHHC:10431]

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.110 of 2026

1. Punam Devi @ Poonam Devi, aged about 40 years, wife of Pappu Verma.

2. Pappu Verma, aged about 41 years, son of Late Kamta Prasad.

Both are residents of Village Kaushalya Market, Dhanbad Road, P.O. and P.S. Barhi, District Hazaribag, Jharkhand

... Petitioners

Versus

1. The State of Jharkhand

2. Priti Devi @ Priti Kumari, wife of Shashi Verma, D/o Ramdeo Sharan, R/o Isri Bazar, Hatiatand, House No. 100, P.O.- Isri Bazar, P.S.- Nimiaghat, Dist- Giridih

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Md. Zaid Ahmed, Advocate

For the State : Ms. Bandana Sinha, Addl. P.P.

For the O.P. No.2 : Mr. Tejaswi, Advocate

Order No:-03 Dated:-10-04-2026

Heard the parties.

This criminal miscellaneous petition has been filed by the petitioners with the prayer for restoration of Cr.M.P. No.3828 of 2023 to its original file which stood dismissed for non-prosecution on 11.09.2025 by this Court.

It is submitted by the learned counsel for the petitioner that Cr.M.P. No.3828 of 2023 stood dismissed for non-prosecution on 11.09.2025 by this Court. It is next submitted that due severe cough and cold, the counsel for the petitioner could not attend the proceedings of the Court on 11.09.2025, hence, no one appeared before this Court when the said Cr.M.P. No.3828 of 2023 was called out resulting in dismissal of the said Cr.M.P. No.3828 of 2023 for non-prosecution. It is next submitted that non-prosecution before this Court on 11.09.2025 was neither deliberate nor intentional. It is also submitted that the petitioner has very good grounds to agitate in the said Cr.M.P. No.3828 of 2023

and unless the same is restored to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that Cr.M.P. No.3828 of 2023 be restored to its original file.

Learned counsel for the opposite party No.2 vehemently opposes the prayer of the petitioner for restoration of the said Cr.M.P. No.3828 of 2023 and submits that the opposite party No.2 will unnecessarily be harassed if the same is restored to its original file, hence, the opposite party No.2 be compensated adequately.

Considering the facts of the case and the aforesaid submission of the learned counsel for the petitioner, Cr.M.P. No.3828 of 2023 is directed to be restored to its original file at the same stage at which it was before its dismissal subject to payment of cost of Rs.10,000/- by the petitioner to the opposite party No.2 through his counsel appearing in the record within two weeks from the date of this order.

Registry is directed to list Cr.M.P. No.3828 of 2023 before the concerned Bench after two weeks only if the petitioner files the proof of payment of the cost of Rs.10,000/- to the opposite party No.2 through his counsel appearing in the record within two weeks from the date of this order failing which this conditional order shall not be given effect to and Cr.M.P. No.3828 of 2023 shall remain dismissed.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)