IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1731 of 2026

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1. Sanjib Kumar Das, aged about 52 years, son of Late Sachin Kumar Das, Resident of Village Manusmuria, PS Barsole, P.O. Manusmuria, District – East Singhbhum Jharkhand
2. Prity Das, aged about 75 years, wife of Late Sachin Kumar Das, resident of village – Manusmuria, P.S – Barsole, PO Manusmuria, District – East Singhbhum, Jharkhand.

… Petitioners

Versus

1. The State of Jharkhand
2. Chanchal Kumar Das, aged about 62 years, Son of Late Panchanan Das, resident of village – Manusmuria, P.S. – Barsole, PO – Manusmuria, District – East Singhbhum, Jharkhand.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Mahesh Tewari, Advocate
For the State : Mr. Suraj Deo Munda, Addl.P.P.
For the O.P. No.2 : Mr. Rahul Kumar, Advocate
Mr. J.N. Upadhyay, Advocate

Order No:-03 Dated:-30-10-2026

Heard the parties.

This Criminal Miscellaneous Petition has been filed with the prayer for restoration of Cr.M.P. No. 3267 of 2018 to its original file which stood dismissed for non-compliance of the peremptory order dated 04.02.2026.

Learned counsel for the petitioners submits that Cr.M.P. No. 3267 of 2018 was dismissed for non-compliance of the peremptory order dated 04.02.2026. It is next submitted that the prayer for time was allowed to the petitioners subject to deposit of Rs.4,000/- by the petitioner with JHALSA within four weeks but due to inadvertence, the said deposit could not be made with JHALSA within the stipulated time; which resulted in dismissal of Cr.M.P. No. 3267 of 2018 for non-compliance of the peremptory order dated 04.02.2026. It is next

submitted that non-compliance of the peremptory order dated 04.02.2026 was neither deliberate nor intentional. Now the petitioners have made the said deposit and the copy of which has been kept at brief. It is further submitted that the petitioners have very good grounds to agitate in the said Cr.M.P. No. 3267 of 2018 and unless the same is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the Cr.M.P. No. 3267 of 2018 be restored to its original file.

Learned counsel appearing for the opposite party No.2 submits that the petitioners are deliberately delaying the disposal of the Cr.M.P. No. 3267 of 2018. It is next submitted 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 aforesaid submission of the learned counsel for the petitioners, Cr.M.P. No. 3267 of 2018 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 No.2 through his counsel appearing in the record and the petitioners are directed to file the proof of the payment of cost of Rs.10,000/- by the petitioners to the opposite No.2 through his counsel appearing in the record within four weeks from the date of this order; failing which, this conditional order shall not be given effect to and Cr.M.P. No. 3267 of 2018 shall remain dismissed.

The Registry is directed to list Cr.M.P. No. 3267 of 2018 after four weeks to its original file before the appropriate Bench if the learned counsel for the petitioners files the proof of the payment of cost of Rs.10,000/- made by the petitioners to the opposite party No.2 through his counsel appearing in the record within four weeks from the date of this order.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated:-30.10.2026
Saroj/