IN THE HIGH COURT OF JHARKHAND AT RANCHI
Acq. Appeal (S.J) No.61 of 2024

Ziaullah Jillani, aged about 47 year old, son of Late Hassan Jillani, resident of Baldeo Height, Flat No.6B, Karbala Chowk, P.O. G.P.O Ranchi & P.S. Lower Bazar, Ranchi, District Ranchi, State-Jharkhand

…. …. Appellant(s)

-Versus-

1. The State of Jharkhand
2. Tarique Siddique @ Tarique Ahmad Siddique, Son of Dr. Sultan Ahmad, aged about 39 years, resident of Gulmohar Street, Opposite Idrisia Banquet Hall, Tiwary Tank Road, P.O. + P.S. Hindpiri, District Ranchi

…. …. Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Suresh Prajapati, Adv.
For the State : Mrs. Priya Shrestha, A.P.P
For the Respondent No.2 : Mr. Alok Anand, Adv

06/Dated: 05th May, 2026

1. Heard the parties.

2. The present acquittal appeal has been filed against the judgment of acquittal dated 02.05.2024 passed by the learned Judicial Commissioner, Ranchi, in Cr. Appeal No.104 of 2024, arising out of Complaint Case No.1842 of 2022, whereby and whereunder the Appellate Court has acquitted the respondent No.2 from the charge under Section 138 of the Negotiable Instruments Act, 1881.

3. The paragraph No.19 of the memo of appeal is relevant which reads as under:-

> "19. That the appellate court has passed the judgment of acquittal in the light of compromise arrived between the parties a joint compromise petition having signature of both parties has been filed before the Court, hence a lenient view may be taken and appellant be absolved from the charges levelled against him which is false, fabricated and forged compromise and there is no compromise paper in the appellate court record."

4. From perusal of the impugned judgment passed by the learned Appellate Court, it appears that the compromise is on the record and it was done in the presence of the Presiding Officer.

5. On being pointed out, the appellant has submitted that he is not aware regarding the statements made here as the said compromise had been made.

6. Accordingly, an interlocutory application being I.A. No.6414 of 2026 has been filed for withdrawal of the present case. The contents of the said interlocutory application are hereby, reproduced as below:-

1. ***That by way of this interlocutory application, the appellant seeks permission to withdrawal of Acquittal Appeal No.61 of 2024 for which the appellant hereby tenders his unconditional and unqualified apology for inadvertent and unintentional omission or commission, which might have caused inconvenience to this Hon'ble Court.***
2. ***That the appellant has not moved before this Hon'ble Court for the same self relief.***
3. ***That the cause of action has arisen within the territorial jurisdiction of this Hon'ble Court.***
4. ***That the appellant states that due to inadvertence in the present memo of acquittal appeal some averments has wrongly been mentioned for which the appellant hereby tenders his unconditional and unqualified apology for inadvertent and unintentional omission or commission, which might have caused inconvenience to this Hon'ble Court.***
5. ***That in view of the aforesaid facts and circumstances of the case, the present interlocutory application is fit to be allowed in the ends of justice and give permission to withdraw the instant memo of acquittal appeal.***
6. ***That this interlocutory application is being made bonafide and in the interest of justice."***

7. It has been submitted by the appellant that it is not intentional and as such, the present interlocutory application may be allowed.

8. Taking lenient view of the matter, I.A No.6414 of 2026 is hereby, allowed and disposed of and as such, appellant is permitted to withdraw the present acquittal appeal.

9. Accordingly, present acquittal appeal is hereby, disposed of as withdrawn.

10. At this stage, it has been informed at the Bar that an amount of *Rs.One Lakh* as remaining amount has already been deposited before the Appellate Court which has not been withdrawn by the appellant till date.

11. In that view of the matter, the appellant is hereby, permitted to withdraw the same. Further, it is made clear that if any renewal is required, the respondent undertakes to renew the same as and when asked for.

(Rajesh Kumar, J.)

Dated: 05th May, 2026
Raja/- Uploaded on 07.05.2026