IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.2061 of 2026

Dr. Pritha Dutta @ Dr. Pritha Sharan, W/o Dr. Ganga Sharan, aged about 59 years, resident of G 504, Jalbau Towers Action Area-1, P.O. & P.S. New Town, North 24 Parganas, District – North 24 Parganas, West Bengal and also AMRI Hospital, IC-16 and 17, Salt Lake City Sector-III, P.O. & P.S. Bidhan Nagar South Police Station, District – Salt Lake City, Kolkata, West Bengal- 700098

… Petitioner

Versus

1. The State of Jharkhand
2. Jiwan Kumar, S/o Shri Sakal Deep Singh, resident of Neemtand Colony, Chuttu, P.O. Neori Vikas Mesra, PS Sadar, District – Ranchi.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Chandrajit Mukherjee, Advocate
For the State : Ms. Anuradha Sahay, Addl.P.P.
For the O.P. No.2 : Mr. Siddharth Gautam, Advocate

Order No:-04 Dated:-30-10-2026

Heard the parties.

This Criminal Miscellaneous Petition has been filed with the prayer for restoration of Cr.M.P. No. 736 of 2024 to its original file which stood dismissed for non-compliance of the peremptory order dated 27.01.2026.

Learned counsel for the petitioner submits that Cr.M.P. No. 736 of 2024 was dismissed for non-compliance of the peremptory order dated 27.01.2026. It is next submitted that the prayer to amend the instant Cr.M.P. was allowed and the petitioner was directed to file a consolidated Cr.M.P. within two weeks but due to inadvertence, the same could not be filed; which resulted in dismissal of Cr.M.P. No. 736 of 2024 for non-compliance of the peremptory order dated 27.01.2026. It is next submitted that non-compliance of the peremptory order dated 27.01.2026 was neither deliberate nor intentional. It is further submitted

that the petitioner has very good grounds to agitate in the said Cr.M.P. No. 736 of 2024 and unless the same is restored to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that the Cr.M.P. No. 736 of 2024 be restored to its original file.

Learned counsel appearing for the opposite party No.2 submits that the petitioner is deliberately delaying the disposal of the Cr.M.P. No. 736 of 2024. 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 petitioner, Cr.M.P. No. 736 of 2024 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 petitioner is directed to file the proof of the payment of cost of Rs.10,000/- by the petitioner 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. 736 of 2024 shall remain dismissed.

The Registry is directed to list Cr.M.P. No. 736 of 2024 after four weeks to its original file before the appropriate Bench if the learned counsel for the petitioner files the proof of the payment of cost of Rs.10,000/- made by the petitioner 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/