[2026:JHHC:28345]

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.2044 of 2026

Asif Iqbal Siddique (for himself & for minor Miss. Samia Siddique) Aged about 44 years, S/o Noor Alam Siddique, Resident of – As/7/31, Scheme II, Kalyanpur Housing Estate, P.O.- R. K. Mission, P.S.- Asansol (North), Dist- Asansol, West Bengal

… Petitioner

Versus

1. The State of Jharkhand
2. Ghazala Qamer, D/o Ali Ahmad
3. Razia Sultana, W/o Ali Ahmad
4. Ershad Iqbal, S/o Ali Ahmad
5. Manjar Iqbal, S/o Ali Ahmad
6. Asif Iqbal, S/o Ali Ahmad, All residing At- Bombay Cloth Emporium, Harin Dangha Bazar, P.O.- Pakur, P.S.- Pakur Town, Dist.- Pakur, Jharkhand-816107 … Opposite Parties

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CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Shubham Mishra, ADvocate
For the State : Mr. Vishwanath Roy, Spl. P.P.
For the O.P. Nos.2 to 6 : Md. Asadul Haque, Advocate

Order No:-03 Dated:-18-09-2026

Heard the parties.

This criminal miscellaneous petition has been filed by the petitioner with the prayer for restoration of Cr.M.P. No.3439 of 2023 to its original file which stood dismissed for non-compliance of the peremptory order dated 08.09.2025 passed by this Court.

It is submitted by the learned counsel for the petitioner that Cr.M.P. No.3439 of 2023 stood dismissed for non-compliance of the peremptory order dated 08.09.2025 passed by this Court to remove the defects pointed out by the stamp reporter. It is next submitted that the counsel for the petitioner had removed some defects but as some

specific defects could not be removed within the stipulated time, hence, the same resulted in dismissal of the said Cr.M.P. No.3439 of 2023 for non-compliance of the said peremptory order dated 08.09.2025 passed by this Court. It is next submitted that non-compliance of the said peremptory order dated 08.09.2025 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.3439 of 2023 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.3439 of 2023 be restored to its original file.

Learned Spl. P.P. appearing for the State has not raised any serious objection.

Learned counsel for the opposite party Nos.2 to 6 vehemently opposes the prayer of the petitioner for restoration of the said Cr.M.P. No.3439 of 2023 and submits that the opposite party Nos.2 to 6 will unnecessarily be harassed if the same is restored to its original file, hence, the opposite party Nos.2 to 6 be compensated adequately.

Considering the facts of this case and the aforesaid submission of the learned counsel for the petitioner, Cr.M.P. No.3439 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 Nos.2 to 6 through their counsel appearing in the record within four weeks from the date of this order.

Registry is directed to list Cr.M.P. No.3439 of 2023 before the concerned Bench after four weeks only if the petitioner files the proof of payment of the cost of Rs.10,000/- to the opposite party Nos.2 to 6 though their 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.3439 of 2023 shall remain dismissed.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated-18.09.2026-Animesh/