(2026:JHHC:32790)

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 2239 of 2026

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1. Pushpa Devi @ Pushpa Singh, aged about 71 years, wife of Late Surendra Singh.
2. Poonam Devi @ Poonam Kumari Singh @ Kumari Poonam Singh, aged about 37 years, wife of Sri Raj Kamal
3. Raj Kamal @ Raja Kamal, aged about 49 years, son of Late Surendra Singh.

All resident of Quarter No. J-43, P.O. & P.S. –Sindri, District – Dhanbad.

.... …. Petitioner

Versus

1. The State of Jharkhand
2. Jyoti Singh, wife of Sh. Amit Kamal, daughter of Sh. Kailash Singh, resident of Village, P.O. and P.S. –Singhara, Daltonganj, Singhra Bhawan, Jail Hatha Road No.2, Jharkhand. .... Opp. Parties

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CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Anjani Nandan, Advocate
For the State : Mrs. Vandana Bharti, Addl. P.P.
For the O.P. No.2 : Mr. Akash Kumar, Advocate
: Mr. Sabyasanchi, Advocate

Order No.03 Dated- 06.11.2026

Heard the parties.

This criminal miscellaneous petition has been filed at the instance of the petitioners for restoration of Cr.M.P. No. 1610 of 2019 to its original file.

Learned counsel for the petitioner submits that Cr.M.P. No. 1610 of 2019 was dismissed for non-prosecution vide order dated 11.06.2026. It is next submitted that due to bonafide mistake the case could not be marked in the cause list, hence no one could appear before the Court when the said Cr.M.P. No. 1610 of 2019 was called out, resulting in dismissal of the same. It is next submitted that non-appearance of the learned counsel for the petitioner before the Court was neither deliberate nor intentional. It is further submitted that the petitioners have very good grounds to agitate in the said Cr.M.P. No. 1610 of 2019 and unless Cr.M.P. No. 1610 of 2019 is restored to its original file, the petitioners will be highly prejudiced. Hence, it is

submitted that the Cr.M.P. No. 1610 of 2019 be restored to its original file.

Learned counsel for the opposite party no.2 submits that the petitioners are deliberately delaying the matter and harassing the opposite party no.2 by lingering the same. Hence, the opposite party no.2 be adequately compensated with costs.

Considering the aforesaid submission of the learned counsel for the petitioners, Cr.M.P. No. 1610 of 2019 is restored to its original file to the stage at which, it was before its dismissal subject to payment of costs of Rs.10,000/- by the petitioners to the opposite party no.2 through the learned counsel appearing in the record within six weeks, failing which, this conditional order shall not be given effect to and this criminal miscellaneous petition shall stand dismissed without further reference to the Bench.

In case, the petitioners files the proof of payment of costs of Rs.10,000/- by the petitioners to the opposite party no.2 through the learned counsel appearing in the record within six weeks, list Cr.M.P. No. 1610 of 2019 under the appropriate heading after a week before the appropriate Bench.

(Anil Kumar Choudhary, J.)

06.11.2026
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