IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1600 of 2026

The Senior Division Railway Security, Commissioner, Railway Security Force, East Central Railway, Dhanbad through Manoj Kumar Shrivastava, aged about 56 years, S/o Late Vijay Bahadur Shrivastava posited as Assistant Security Commissioner and Officiating from his office at Barkana, PO. & PS Ghutuwa Railway Protection Force, District Ramgarh

… Petitioner

Versus

1. Dharma Ravidas, son of Dwarika Ravidas, resident of Village Deokuli, P.O. – Deokuli, P.S. Ichak, District Hazaribagh, State Jharkhand.
2. Santosh Keshera, son of Badri Kashera
3. Surendra Kashera, son of Shyam Lal Kashera;
4. Pradeep Kashera, son of Tejo Kashera

   Sl No. 2 to 4 are resident of Village – Bishungarh, P.O. – Bishungarh, P.S. Bishungarh, Distrit – Hazaribagh, State Jharkhand. … Opposite Parties

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CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mrs. Niki Sinha, Advocate
For the Opp. Parties : Mr. Shailendra Jit, Advocate

Order No:-07 Dated:-11-09-2026

Heard the parties.

This Criminal Miscellaneous Petition has been filed with the prayer for restoration of Acquittal Appeal No.69 of 2022 to its original file which stood dismissed for non-prosecution vide order dated 30.06.2025.

Learned counsel for the petitioner submits that Acquittal Appeal No.69 of 2022 was dismissed for non-prosecution vide order dated 30.06.2025. It is next submitted that inadvertently, the case could not be marked by the counsel in the cause list, hence, the learned counsel could not appear before the Court when the said case was called out; which

resulted in dismissal of Acquittal Appeal No.69 of 2022 for non-prosecution vide order dated 30.06.2025. 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 petitioner has very good grounds to agitate in the said Acquittal Appeal No.69 of 2022 and unless the same is restored to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that the Acquittal Appeal No.69 of 2022 be restored to its original file.

Learned counsel appearing for the opposite parties submits that the petitioner is deliberately delaying the disposal of the Acquittal Appeal No.69 of 2022. It is next submitted that the opposite parties will unnecessarily be harassed if the same is restored to its original file, hence, the opposite parties be compensated adequately.

Considering the aforesaid submission of the learned counsels, Acquittal Appeal No.69 of 2022 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.5,000/- to be made by the petitioner to the opposite parties through the counsel appearing in the record and the petitioner is directed to file the proof of the payment of the same within four weeks from the date of this order; failing which, this conditional order shall not be given effect to and Acquittal Appeal No.69 of 2022 shall remain dismissed.

The Registry is directed to list Acquittal Appeal No.69 of 2022 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.5,000/- made by the petitioner to the opposite parties through the 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:- 11.09.2026
Saroj/