# IN THE HIGH COURT OF JHARKHAND AT RANCHI
## Cr.M.P. No.2599 of 2026

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Prem Chand Mardi, S/o Jitrai Mardi, aged about 47 years, residents of Village – Murgaghutu, P.O. – Narwapahar, P.S. – Jadugora, District – East Singhbhum

… Petitioner

***Versus***

1. The State of Jharkhand
2. Indrani Mardi, W/o Sri Prem Chand Mardi, resident of Village – Baredih, P.O. – Shankarda, P.S. – Potka, District – East Singhbhum

… Opposite Parties

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**CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner : Mr. Jitesh Kumar, Advocate
For the State : Mr. Vishwanath Roy, Spl.P.P.
For the O.P. No.2 : None

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**Order No:-03 Dated:-30-10-2026**

Heard the parties.

Though the opposite party No.2 has put his appearance through an Advocate yet no one turns up on behalf of the opposite party No.2 in spite of repeated calls.

This Criminal Miscellaneous Petition has been filed by the petitioner with the prayer for restoration of Cr.M.P. No. 1795 of 2026 to its original file which stood dismissed for non-compliance of the peremptory order dated 23.06.2026.

Learned counsel for the petitioner submits that Cr.M.P. No. 1795 of 2026 was dismissed for non-compliance of the peremptory order dated 23.06.2026. It is next submitted that the petitioner of Cr.M.P. No. 1795 of 2026 was directed to file requisites for service of notice upon the opposite party No.2 by speed post as well as under process of the court within three weeks but due to some bonafide mistakes of the Advocate's

Clerk, the said requisite could not be filed within the stipulated time; which resulted in dismissal of Cr.M.P. No. 1795 of 2026, for non-compliance of the peremptory order dated 23.06.2026. It is further submitted that non-compliance of the peremptory order dated 23.06.2026 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. 1795 of 2026 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. 1795 of 2026 be restored to its original file.

Learned counsel for the State has not raised any serious objection to the prayer of the petitioner.

Considering the aforesaid submission of the learned counsel for the petitioner, Cr.M.P. No. 1795 of 2026 is directed to be restored to its original file at the same stage at which it was before its dismissal.

Registry is directed to list Cr.M.P. No. 1795 of 2026 before the appropriate Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

**(Anil Kumar Choudhary, J.)**

Dated:-30.10.2026
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