(2026:JHHC:32740)

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 3160 of 2026

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1. Ananya Shree, aged about 32 years, d/o late Sachidanand Jaiswal, r/o -225, Shahid Chok, Balumath, P.O.+P.S.-Balumath, Dist.-Latehar
2. Sweta Jayaswal, aged about 40 years, w/o Abhishek Jayaswal, r/o-C-002, Prime City Apartment, Near Icon School, Electronic City Phase-I, Doddathoguru, P.O.+P.S.-Electronic City, Dist.-Bengaluru (Karnataka)
3. Abhishek Jayaswal, aged about 45 years, s/o Anirudh Prasad Jayaswal, r/o-C-002, Prime City Apartment, Near Icon School, Electronic City Phase-I, Doddathoguru, P.O.+P.S.-Electronic City, Dist.-Bengaluru (Karnataka)
4. Soumya Priya, aged about 40 years, w/o Amit Kumar, r/o Flat No. III-C, 3rd Floor, Building No. 42, 2nd Main, Opposite Sri Maruthi Rice Corner, BTR Garden, Kudlu Road, Kudlu, P.O.-Singasandra, P.S.-Pararappanna Agrahara, Dist.-Bengaluru (Karnataka)
5. Amit Kumar, aged about 45 years, s/o Anirudh Prasad Jayaswal, r/o Flat No. III-C, 3rd Floor, Building No. 42, 2nd Main, Opposite Sri Maruthi Rice Corner, BTR Garden, Kudlu Road, Kudlu, P.O.-Singasandra, P.S.-Pararappanna Agrahara, Dist.-Bengaluru (Karnataka)

… Petitioners

Versus

1. The State of Jharkhand
2. Ruby Jaiswal, d/o late Sravan Prasad Jaiswal, r/o Krishi Bazar, Near Kashinath Petrol Pump, P.O.+P.S.-Lohardaga, Dist.-Lohardaga. (Mob. No.9110175692)

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Pratiush Lala, Advocate
For the State : Mr. Vishwanath Roy, Spl. P.P.
For O.P. No.2 : None

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. 4065 of 2023 to its original file.

Though the opposite party no.2 has put her appearance through an Advocate yet no one turn up on behalf of the opposite party no.2 in-spite of repeated calls.

Learned counsel for the petitioners submits that Cr.M.P. No. 4065 of 2023 was dismissed for non-compliance of the peremptory order of depositing Rs.1,000/- with JHALSA. It is next submitted that as the mother of the Advocate's clerk was ill on 11.12.2025 hence, he had gone to Nawada, Bihar on the same day and remained there till 15.01.2026 therefore, the said amount could not be deposited within the stipulated time and the same resulted in dismissal of Cr.M.P. No. 4065 of 2023. It is further submitted that non-compliance of peremptory order was neither deliberate nor intentional. It is then submitted that the said amount of Rs.1,000/- has already been deposited. It is next submitted that the petitioners have very good grounds to agitate in the said Cr.M.P. No. 4065 of 2023 and unless Cr.M.P. No. 4065 of 2023 is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that Cr.M.P. No. 4065 of 2023 be restored to its original file.

Considering the aforesaid submission of the learned counsel for the petitioners and the facts of this case, Cr.M.P. No. 4065 of 2023 is restored to its original file to the stage at which, it was before its dismissal.

List Cr.M.P. No. 4065 of 2023 under the appropriate heading before the appropriate bench after a week.

(Anil Kumar Choudhary, J.)

06.11.2026
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