IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 3992 of 2018

Jagdish Singh ..... Petitioner

Versus

1.The State of Jharkhand
2.Upendra Singh ..... Opp. Parties

CORAM:HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Md. Zaid Ahmed, Advocate
For the State : Mr. Saket Kumar, A.P.P.
For the O.P. No.2 : Mr. Naveen Kr. Jaiswal, Advocate

06/23.04.2026 The instant Criminal Miscellaneous Petition has been filed under Section 482 of Cr.P.C. for restoration of Acquittal Appeal (D.B.) No. 53 of 2018, which stood dismissed on 03.10.2018 due to non-compliance of peremptory order of the Court dated 18.09.2018 within the stipulated time.

2. Learned counsel for the petitioner has submitted that vide order dated 18.09.2018, the Court has given the appellant peremptory time for removal of a defect pointed out in relation to filing of a limitation petition, but the defect could not be removed within the stipulated time as there was a communication gap and the appellant did not get information on time as he is a resident of some remote village and could not keep in touch with his conducting lawyer and due to which, the Acquittal Appeal (D.B.) No. 53 of 2018 stood dismissed on 03.10.2018 due to non-compliance of peremptory order of the Court dated 18.09.2018. On this ground the learned counsel for the petitioner/appellant has prayed that Acquittal Appeal (D.B.) No. 53 of 2018 may be

restored to its original file otherwise the petitioner/appellant may suffer irreparable loss.

3. Learned counsel for the State and the O.P. No.2 have raised no objection, rather they have fairly submitted that the aforesaid Acquittal Appeal (D.B.) No. 53 of 2018 may be restored to its original file so that the matter may be heard and decided on merit.

4. Having heard the learned counsel for the parties and considering the fact that this acquittal appeal has been filed by the father of the deceased as also the reason assigned in the instant Criminal Miscellaneous Petition that non-compliance of the order of the Court is not intentional and the petitioner/appellant may suffer irreparable loss if the instant Criminal Miscellaneous Petition is not allowed and the Acquittal Appeal is not restored and heard on its own merit, this Court deems it fit and proper to restore Acquittal Appeal (D.B.) No. 53 of 2018 to its original file.

5. In view thereof, Acquittal Appeal (D.B.) No. 53 of 2018 is restored to its original file, subject to removal of the aforesaid defect within a period of Two (02) weeks from today.

6. Accordingly, the instant Criminal Miscellaneous Petition is allowed and stands disposed of.

(Sujit Narayan Prasad, J.)

(Sanjay Prasad, J.)

s.m.
Dated 23.04.2026