IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.3374 of 2025

Ajay Goyal, aged about 45 years, S/o Swarn Goyal, Resident of Sukhdev Nagar, Ratu Road Near-Central Bank, P.O.-Hehal, P.S.-Sukhdev Nagar, District-Ranchi, Jharkhand.

… Petitioner

Versus

1. The State of Jharkhand
2. Laxmi Nath Sahu, S/o Karma Sahu, R/o-Akash Wani Road, Kesav Nagar, Kathitand, P.O.-Ratu, P.S.-Ratu, District-Ranchi, Jharkhand.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Manoj Kr. Choubey, Advocate
For the State : Mr. V.K. Vashistha, Spl.P.P.
For the OP 2 : Ms. Vidhika Saboo, Advocate
: Mr. Saman Ahmad, Advocate

Order No:-04 Dated:-13-03-2026

Heard the parties.

This criminal miscellaneous petition has been filed by the petitioner with the prayer for restoration of Cr.M.P. No.1563 of 2022 to its original file which stood dismissed for non-prosecution on 21.11.2023.

It is submitted by the learned counsel for the petitioner that Cr.M.P. No.1563 of 2022 stood dismissed for non-prosecution on 21.11.2023 by this Court. It is next submitted that due to unavoidable circumstances beyond the control of the petitioner, the learned counsel for the petitioner could not appear before this Court when the said Cr.M.P. No.1563 of 2022 was called out, resulting in dismissal of the said Cr.M.P. No.1563 of 2022 for non-prosecution. It is next submitted that non-prosecution before this Court on 21.11.2023 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.1563 of 2022 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.1563 of 2022 be restored to its original file.

Learned counsel appearing for the State has not raised any serious objection.

Learned counsel for the opposite party No.2 vehemently opposes the prayer of the petitioner for restoration of the said Cr.M.P. No.1563 of 2022 and submits that the opposite party No.2 will unnecessarily be harassed if the same is restored to its original file, hence, the opposite party No.2 be compensated adequately.

Considering the aforesaid submission of the learned counsel for the petitioner, Cr.M.P. No.1563 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/- by the petitioner to the opposite party No.2 through his counsel appearing in the record within two weeks from the date of this order.

Registry is directed to list Cr.M.P. No.1563 of 2022 before the concerned Bench after two weeks only if the petitioner files the proof of payment of the cost of Rs.5,000/- to the opposite party No.2 through his counsel appearing in the record within two weeks from the date of this order failing which this conditional order shall not be given effect to and Cr.M.P. No.1563 of 2022 shall remain dismissed.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

13/03/2026
Abhiraj/