IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1125 of 2026

Abu Talib @ Talib, Aged about 47 years, Son of Rabbul Hussain, Resident of 248/A, Jhirkey, Near Jama Masjid, Kathara, P.O. & P.S. Kathara, District - Bokaro

… Petitioner

Versus

1. The State of Jharkhand
2. Tabassum Jahan, Daughter of Firoz Ahmad, Resident of Gaus Baba Road, Bhandradih, P.O. & P.S. – Giridih, District – Giridih.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Kumar Harsh, Advocate
For the State : Mrs. Priya Shrestha, Spl.P.P.
For the O.P. No.2 : None

Order No:-04 Dated:-11-09-2026

Heard the parties.

Though notice has validly been served upon the opposite party No.2 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. 3379 of 2021 to its original file which stood dismissed for non-compliance of the peremptory order dated 23.09.2025.

Learned counsel for the petitioner submits that Cr.M.P. No. 3379 of 2021 was dismissed for non-compliance of the peremptory order dated 23.09.2025. It is next submitted that the prayer for time to the petitioner of Cr.M.P. No. 3379 of 2021 was allowed subject to deposit of Rs.4,000/- by the petitioner with the Advocate's Sports Club bearing Account No. 495810110005600 within two weeks but due to bona fide

mistake of the counsel, the said deposit could not be made within the stipulated time; which resulted in dismissal for non-compliance of the peremptory order dated 23.09.2025. Now the petitioner has made the said deposit and the copy of the same has been annexed with supplementary affidavit. It is further submitted that non-compliance of the peremptory order dated 23.09.2025 by the petitioner 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. 3379 of 2021 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. 3379 of 2021 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. 3379 of 2021 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. 3379 of 2021 before the appropriate Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated:- 11.09.2026
Saroj/