

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 2907 of 2023

Md. Ishtiaque @ Lallu @ Lalo, son of Abdul Idrish, aged about 36 years, r/o Garh Muhalla, Pachamba, P.O.-Pachamba, P.S.-Giridih Town, Dist.-Giridih, Jharkhand

... Petitioner

Versus

The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Vishal Kr. Trivedi, Advocate

For the State : Mr. V.K. Vashistha, Spl. P.P.

Order No.06 Dated- 31.01.2025

Heard the parties.

This criminal miscellaneous petition has been filed at the instance of the petitioner for restoration of Cr.M.P. No. 240 of 2022 to its original file.

Learned counsel for the petitioner submits that Cr.M.P. No. 240 of 2022 was dismissed for non-compliance of the peremptory order of removing the defects. It is next submitted that due to non-filing of the type copy for removing the defects within the stipulated time, Cr.M.P. No. 240 of 2022 was dismissed for non-compliance of the said peremptory order. It is further submitted that the non-compliance of the said peremptory order was neither deliberate nor intentional. It is next submitted that the petitioner has very good grounds to agitate in the said Cr.M.P. No. 240 of 2022 and unless Cr.M.P. No. 240 of 2022 is restored to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that the Cr.M.P. No. 240 of 2022 be restored to its original file.

Considering the facts of the case and the submission of the learned counsel for the petitioner, Cr.M.P. No. 240 of 2022 is restored to its original file to the stage at which, it was before its dismissal.

List Cr.M.P. No. 240 of 2022 under the appropriate heading before the appropriate bench after a week.

(Anil Kumar Choudhary, J.)