

Jharkhand High Court

Gajendra Prasad vs State Of Jharkhand & Ors. on 17 September, 2011

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 1468 of 2008

With

Cr. Revision No. 750 of 2006

Gajendra Prasad..... Petitioners (In both the cases)

Versus

State of Jharkhand & Ors..... Opp. Parties (In both the cases)

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Coram: Hon'ble Mr. Justice R.K.Merathia

For the Petitioner

: Mr. Ananda Sen, Advocate

For the Opp. Parties

: Mr. A.P.P.

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Order No. 4

September 2011

Dated the 17th

This criminal miscellaneous petition has been filed for restoration of Criminal Revision No. 750/2006, which stood dismissed for default due to non-compliance of the peremptory order dated 31/07/2008.

Mr. Ananda Sen, learned counsel appearing for the petitioner submitted that there is 8 days delay in filing this petition.

On this, I heard Mr. Sen, on the merit of the Criminal Revision No. 750/2006 after calling the records of the same. He submitted that though the Doctor found injuries but the impugned judgment of acquittal has been passed only on the basis that the witnesses have turned hostile; and that the petitioner was not noticed by the learned court below.

In my opinion, no grounds are made out for any interference with the impugned order, even if, it is accepted that the petitioner has good grounds for condonation of delay and restoration of the Criminal Revision No. 750/2006.

As I do not find any merit in the revision application, both the cases are dismissed.

(R.K.Merathia, J) Mukund/□