

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 1436 of 2020

Vishal Tewary @ Vishal Kumar Tewary
... Petitioner
Versus
The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Rajiv Kr. Karan , Adv.
For the State : Mr. Ravi Prakash, Spl. P.P.

03 / 11.09.2020 Heard the parties through Video Conferencing.

Mr. Rajiv Kr. Karan, learned counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioner, the defects pointed out by the Stamp Reporter are ignored for the present.

This criminal miscellaneous petition has been filed under section 482 Cr.P.C by the petitioner with a prayer for modification of the order dated 05.08.2019 passed in ABA No. 5264 of 2019.

It is submitted by the learned counsel for the petitioner that vide order dated 05.08.2019 passed in ABA No. 5264 of 2019, the petitioner was directed to surrender before the court below within four weeks on depositing ad interim victim compensation of Rs. 12,000/- by way of 12 separate demand drafts of Rs. 1,000/- each drawn in favor of 12 victims but as the petitioner could not arrange money and hence, he could not surrender within the stipulated time but in the meanwhile, the petitioner has arranged money and prepared the demand drafts of the said amount, the photocopies of which are kept at page nos. 15-18 (Annexure 2) of the brief. Learned counsel for the petitioner undertakes to get the said demand drafts revalidated as only few days

are left for their validity as the demand drafts are of 09.06.2020 and therefore, it is submitted that time to surrender before the court below in terms of the order dated 05.08.2019 passed in ABA No. 5264 of 2019 be extended for six weeks from the date of this order.

Considering the facts of the case and the submission of the learned counsel for the petitioner, the prayer for extension of time for the petitioner to surrender in the court below in terms of the order dated 05.08.2019 passed in ABA No. 5264 of 2019 is allowed. Hence, the petitioner is directed to surrender before the court below "within six weeks from the date of this order in terms of the dated 05.08.2019 passed in ABA No. 5264 of 2019".

The order dated 05.08.2019 passed in ABA No. 5264 of 2019 is modified to the aforesaid extent only.

This criminal miscellaneous petition is disposed of accordingly.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-