

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. M.P. No.1897 of 2021

Irfan Shahid	...	Petitioner
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Md. Zaid Ahmed, Advocate	
For the State	: Mr. Prabhu D. Agrawal, Spl.P.P.	

Order No.02 Dated- 03.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the 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 by the petitioner with a prayer for modification of the order dated 29.01.2020 passed in A.B.A. No.367 of 2020.

It is submitted by the learned counsel for the petitioner that vide order dated 29.01.2020 passed in A.B.A. No.367 of 2020, the petitioner was directed to surrender before the court below within eight weeks and he was further directed to deposit Rs.20,000/- as ad interim victim compensation and to deposit Rs.10,000/- with the Deputy Commissioner, Palamau. It is next submitted that because of financial constraint, the petitioner could not arrange money to make the said deposits and accordingly the petitioner could not surrender within the stipulated time. It is also submitted that in the meantime the petitioner has already made the said deposits and the copy of the receipt of the same has been annexed with the brief. It is then submitted that now the petitioner is ready and willing to surrender before the learned court below and unless six weeks' extension is granted to the petitioner, the petitioner will be highly prejudiced. Hence, it is submitted that the time period for the petitioner to surrender before the court below in terms of the order dated 29.01.2020 passed in A.B.A. No.367 of 2020 be extended by six weeks from the date of this order.

Considering the aforesaid 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 29.01.2020 passed in A.B.A. No.367 of 2020 is extended by six weeks from the date of this order is allowed. The order dated 29.01.2020 passed in A.B.A. No.367 of 2020 is modified by directing the petitioner to surrender within six weeks from the date of this order in terms of the order dated 29.01.2020 passed in A.B.A. No.367 of 2020.

The order dated 29.01.2020 passed in A.B.A. No.367 of 2020 is modified to the aforesaid extent only.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Animesh/