

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 4244 of 2018

Nizam Ansari, aged about 47 years, son of Hamid Ansari, resident of Village Jainagar, P.O. & P.S. Patratu, District- Ramgarh ... **Petitioner**

-Versus-

The State of Jharkhand ... **Opposite Party**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Md. Zaid Ahmed, Advocate

For the Opposite Party-State : Mrs. Lily Sahay, A.P.P.

06/07.09.2021. Heard Mr. Md. Zaid Ahmed, learned counsel for the petitioner and Mrs. Lily Sahay, learned A.P.P. for the opposite party-State.

This criminal miscellaneous petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard on merit.

The petitioner has filed this criminal miscellaneous petition for quashing the order dated 13.04.2018 passed in Criminal Revision No.111 of 2017 by the learned Principal District and Sessions Judge, Ramgarh, whereby, revision petition filed by the petitioner against the order dated 24.03.2011 passed by the learned Additional Chief Judicial Magistrate, Hazaribag by which process under Section 83 of Cr.P.C. has been issued in connection with Mandu (Kuju) P.S. Case No.114 of 2001, corresponding to G.R. Case No.1018 of 2001, has been dismissed by the learned Principal District and Sessions Judge, Ramgarh.

Learned counsel for the petitioner submits that the order dated 24.03.2011, whereby, process under Section 83 Cr.P.C. has been issued, is a cryptic order, which has been affirmed by the Principal District and Sessions Judge, Ramgarh in Criminal Revision No.111 of 2017.

Mrs. Lily Sahay, learned A.P.P. for the opposite party-State submits that there is no illegality in the impugned order. She further submits that the revisional court has found sufficient reason and therefore, the revision petition filed by the petitioner has been dismissed.

The Court has perused the order dated 13.04.2018 passed by the revisional court. It transpires that the concerned court applied its mind and has dealt with every aspects of the matter and come to the conclusion that the order of issuance of process under Section 83 of Cr.P.C. is legally perfect.

In view of the aforesaid facts, no relief can be extended to the petitioner. Accordingly, this criminal miscellaneous petition stands dismissed.

(Sanjay Kumar Dwivedi, J.)

Ajay/