

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 599 of 2021

Md. Riyaz @ Md Reyajuddin Petitioner

Versus

The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Mr. Shahid Khan, Advocate

For the State : Mr. Sanat Kumar Jha, APP

02/ 26.03.2021 Heard through V.C.

2. The instant application has been preferred by the petitioner for modification of the order dated 17.01.2020 passed by this Court in Cr. Rev. No. 1177 of 2013 to the extent that the time stipulated for payment of fine before the District Legal Services Authority, Hazaribagh be extended for a further period of 4 weeks as the fine could not be paid by the petitioner due to the lock down.

3. Learned APP does not have any serious objection.

4. Having regards to the fact of this case it appears that this Court while sustaining the conviction of the petitioner, modified the sentence in lieu of fine and directed the petitioner to pay fine of Rs.10,000/- within a period of 2 months from the date of the order, however, the same could not be paid by him.

5. Looking to the averments made in this application and also the fact that after the order was passed, there was a complete lockdown in the country for about two months and the petitioner is a Rickshaw-puller; as such in the interest of justice this application is allowed and the order dated 17.01.2020 passed in Cr. Rev. No.1177 of

2013, is hereby modified to the extent that the petitioner is directed to pay the fine of Rs.10,000/- within a period of 4 weeks before DLSA, Hazaribagh, failing which, he shall serve the rest of the sentence as directed by the learned trial court.

6. With the aforesaid modification in the original order dated 17.01.2020 the instant application stands disposed of.

7. Let a copy of this order be sent to the concerned court through 'FAX'.

(Deepak Roshan, J.)

Pramanik/