

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 4668 of 2022

Md. Saddam @ Saddam & Anr. ... Petitioners

Versus

The State of Jharkhand & Anr. ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Manoj Kr. Sah , Adv.
For the State : Mr. Abhay Kr. Tiwari, Addl. P.P.

04 / 17.02.2023 Heard the parties.

This criminal miscellaneous petition has been filed under section 482 Cr.P.C by the petitioners with a prayer for modification of the order dated 28.03.2019 passed in ABA No. 7016 of 2018.

It is submitted by the learned counsel for the petitioners that vide order dated 28.03.2019 passed in ABA No. 7016 of 2018, the petitioners were directed to surrender before the court below within six weeks and on paying Rs. 4,000/- per month by the petitioner no. 1 to the opposite party no. 2 and on depositing Rs. 10,000 /- by the petitioner no. 2 as ad interim victim compensation by way of demand draft drawn in favour of the opposite party no. 2. It is further submitted that the petitioner no. 1 is paying Rs. 4,000/- to the opposite party no. 2 but because of paucity of money, the petitioner no. 2 could not arrange money and hence they could not surrender within the stipulated time but in the meanwhile, the petitioner no. 2 has arranged money and prepared the demand draft, the copy of which is kept at page 4 (Annexure 1) of the supplementary affidavit of the brief. Learned counsel for the petitioners submits that the time to surrender before the court below in terms of the order 28.03.2019 passed in ABA No. 7016 of 2018 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 petitioners, the prayer for extension of time for the petitioners to surrender in the court below in terms of the order dated 28.03.2019 passed in ABA No. 7016 of 2018 is allowed. Hence, the petitioners are directed to surrender before the court below “within six weeks from the date of this order in terms of the order dated 28.03.2019 passed in ABA No. 7016 of 2018”.

The order dated 28.03.2019 passed in ABA No. 7016 of 2018 is modified to the aforesaid extent only.

This criminal miscellaneous petition is disposed of accordingly.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-