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MCRC-28814-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE PRAMOD KUMAR AGRAWAL

ON THE 24th OF JUNE, 2026MISC. CRIMINAL CASE No. 28814 of 2026*ABHISHEK BANERJEE**Versus**AKASH VIJAYVARGIA*

Appearance:

Shri Anil Khare - Senior Advocate with Shri Manan Agrawal and Shri Priyankush Jain - Advocates for the petitioner.

ORDER

This application has been preferred for restoration of M.Cr.C. No. 51319/2025 which was dismissed for want of prosecution vide order dated 17.06.2026.

In view of averments made in the application which is duly supported by affidavit, prayer for restoration of the case is hereby accepted.

Looking to the nature of default, M.Cr.C. No. 51319/2025 is restored to its original number for being adjudicated on its own merits.

Accordingly, application stands allowed.

Perused the M.Cr.C. No. 51319/2025. Vide order dated 12.11.2025, execution of arrest warrant issued in Case No. SC PPM/2/2024 by JMFC and Special Judge, MP/MLA, Bhopal was stayed till the next date of hearing. Thereafter, the matter was being adjourned on 8.12.2025, 19.01.2026 and on 4.02.2026. On 8.05.2026, upon the request of learned counsel for petitioner, matter was fixed for 16.06.2026 at 2:30 PM with the observation that if the on next date of hearing petitioner will not argue then matter will be considered on



merits and interim relief will not be continued. Again on 16.06.2026, adjournment was sought and the same observation was made regarding interim relief and the next date was fixed for 17.06.2026.

On 17.06.2026, no one appeared for the petitioner even in the pass over round therefore, M.Cr.C. No. 51319/2025 has been dismissed for want of prosecution and stay granted in favour of petitioner vide order dated 12.11.2025 has also been specifically vacated.

Looking to the entire order sheets of the M.Cr.C. No. 51319/2025 in which several opportunities were granted for arguments to learned counsel for the petitioner and despite the repeated orders dated 8.05.2026 and 16.06.2026 regarding interim relief to not continue, no one appeared on 17.06.2026 therefore, stay order dated 12.11.2025 was recalled and petition was dismissed for want of prosecution. Looking to entire facts and circumstances though M.Cr.C. No. 51319/2025 is restored to its original number but **execution of arrest warrant issued in Case No. SC PPM/2/2024 by JMFC and Special Judge, MP/MLA, Bhopal will not be continued further which was passed on 12.11.2025.**

A copy of this order be placed in the record of M.Cr.C. No. 51319/2025 and be sent to concerning JMFC and Special Judge, MP/MLA, Bhopal for necessary action.

(PRAMOD KUMAR AGRAWAL)
JUDGE