

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 4954 of 2011 (O&M)
Date of decision : October 29, 2015

Dr. Deepak Parkash

..... Petitioner

v.

Gagan Kumar & others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. HC Arora, Advocate
for the petitioner.

None for respondent No.1.

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

Prayer in this petition is for quashing of Complaint No.16/01/2/10, dated 11.10.2010 (Annexure P-5) filed by respondent No.1, as well as the summoning order dated 21.10.2010 (Annexure P-2).

None has appeared for respondent No.1 despite service. On 3.7.2015, the following order was passed :-

“ Mr. M.S. Sachdev, Advocate appearing for respondent No.2 submits that the said respondent has nothing to do with the proceedings in the present case because respondent No.1 is the complainant. Also respondent No.3 is the unnecessary party being the banker.

It is not understandable as to why respondents No.2 and 3 were made parties. Respondent No.1 was served through counsel in the trial Court. He was

permitted to be served through counsel in the lower Court as earlier report had been received on the notice that he was not residing at the given address.

Respondents No.2 and 3 are discharged so far as the present proceedings are concerned. Matter already stands admitted on 19.3.2013.

List on 9.9.2015.

Photocopy of the trial Court record be summoned for the date fixed.”

Since none has appeared to oppose the petition, I have no option but to allow the present petition. Consequently, the present petition is allowed and the complaint as well as the summoning order are set aside.

October 29, 2015

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**(AJAY TEWARI)
JUDGE**