

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRA-AS-76-2017

DATE OF DECISION: July 7, 2017

Naresh Kumar

...Applicant.

versus

Tejveer

...Respondent

CORAM:- HON'BLE MR. JUSTICE A.B.CHAUDHARI

Present: Mr.Amit Kumar Jain, Advocate for the applicant.

A.B.CHAUDHARI, J.(ORAL)

Despite notice for final disposal issued on  
18.11.2016, none appeared for the sole respondent.

In the matter of cheque bounce of Rs.18,000/-,  
the applicant-complainant failed to appear on the appointed  
date, i.e. on 1.7.2016 and as such, the trial Court took the  
case for final disposal and dismissed the criminal complaint  
in default.

Heard learned counsel for the applicant.

The applicant has given an explanation that he  
had noted wrong date and, therefore, he could not appear.

Instead of burying the cause of the applicant, he deserves to be given a chance to prosecute his complaint.

In that view of the matter, I am inclined to grant leave to appeal. Hence, I make the following order:

**ORDER**

(i) Leave to appeal is granted. The CRM-A-1493-MA-2016 of 2016 is treated as CRA-AS-76-2017.

(ii) The appeal is allowed.

(ii) The impugned order dated 1.7.2016 is set aside.

The Criminal Case No.1966 of 13.7.2015 is restored back to its original number. The applicant shall appear before the trial Court on 11.9.2017 who shall proceed in accordance with law. No costs.

July 7, 2017  
KD

(A.B. Chaudhari)  
Judge

Whether speaking/reasoned: Yes/No  
Whether reportable: Yes/No