

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.A-1209-MA of 2015 (O&M)
Date of Decision: February 8, 2017**

Surjit Kaur

.....APPLICANT(s).

VERSUS

Ashok Kumar

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Mohd Yousaf, Advocate,
for the applicant.

Mr.M.S.Saini, Advocate,
for the respondent.

SURINDER GUPTA, J.(Oral)

Heard.

The complaint filed by the applicant for offence punishable under Section 138 of the Negotiable Instruments Act was dismissed due to his non-appearance in Court vide order dated 15.4.2014 passed by the Judicial Magistrate, Ist Class, Jalandhar.

Learned counsel for the applicant submits that applicant had in fact noted the date as 21.4.2014 and same date was also recorded by his counsel. Due to this reason, he could not appear on 15.4.2014. Earlier he had been regularly appearing in the Court.

Keeping in view the submission of the learned counsel for

petitioner and for the decision of the complaint filed by the applicant on merits, order dated 15.4.2014 is set aside.

Parties are directed to appear before the trial court/successor Court on 8.3.2017. The complaint shall be taken on board and be decided on merits.

February 8, 2017
Paritosh Kumar

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>