

CRM-M-39242-2014

Date of Decision : 11.09.2017

Harish Kalra

.....Petitioner

versus

Pankaj Makol and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN**Present:** Mr. Abhay Gupta, Advocate for
Mr. Amar Vivek, Advocate
for the petitioner.Mr. Aman Pal, Advocate
for the respondents.**SHEKHER DHAWAN, JUDGE (ORAL)**

Present petition under Section 482 Cr.P.C. is for setting aside and quashing of order dated 04.06.2014 (Annexure P-1) passed in complaint case No.57 of 2009 dated 28.08.2009 (Annexure P-2), under Sections 420, 467, 468, 471 and 120-B IPC vide which complaint was dismissed on account of non appearance of the complainant.

Learned counsel for the petitioner contended that counsel had put in appearance on the date fixed and thereafter, matter was taken up again at that time complainant was not present and the said order was passed.

Learned counsel for the respondents contended that proceedings were recorded by the Court as there was no representation from the complainant side when the matter was taken up again.

In view of the fact that the complaint has been dismissed on account of non appearance of the complainant, though complainant had been appearing in the Court earlier and in the interest of justice order dated

04.06.2014 (Annexure P-1) is set aside.

Resultantly, the present petition is disposed of.

(SHEKHER DHAWAN)
JUDGE

11.09.2017

Neha

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No