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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 43296 of 2016
Date of Decision: 07.09.2017**

Sukhjinder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

The petitioner in this petition seeks to challenge the order dated 01.06.2016, passed by the Ld. Additional Sessions Judge, Gurdaspur, vide which the petitioner's revisional petition against the order dated 15.02.2014, passed by the Ld. J.M.I.C., Gurdaspur, accepting the Cancellation Report submitted by the Police in F.I.R. No. 28, dated 23.04.2011, under Sections 295-A, 379 and 34 of the Indian Penal Code was dismissed.

2. The Cancellation Report was accepted by the Ld. Magistrate as no steps were taken on behalf of the petitioner on the relevant date, for which he had been granted opportunity to file his protest petition. The Ld. Sessions Judge in the circumstances, upheld the order of the Ld. Magistrate.

3. The petitioner now seeks an opportunity to file his protest petition.

4. The record shows visible lethargy and inaction on the part of the petitioner at various stages. He absented from the proceedings in the Ld. Trial Court without any intimation on the given date. Even after passing of the impugned order on 01.06.2016, he did not care to apply for certified copy for more than two months thereafter.

5. In these circumstances, this Court is not inclined to grant the petitioner any further indulgence, considering his own conduct, particularly in view of the fact that, as also observed by the Ld. Sessions Judge, the remedy of filing a private complaint against the accused persons is also open to him, subject, of course, to the law of limitation.

6. For the aforesaid reasons, the present petition is dismissed.

07.09.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No