

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

CRR No.2619 of 2017 (O&M)

Date of decision : August 02, 2017

Ashok Kumar

..... Petitioner

Versus

Sudhir Kumar

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.S. Nain, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Learned counsel for the petitioner contends that the petitioner had filed an appeal against the judgment of conviction dated 10.06.2016 and order of sentence dated 13.06.2016 passed by the learned Judicial Magistrate 1st Class, Rewari. Appeal filed before the learned Addl. Sessions Judge, Rewari was dismissed for want of prosecution, vide order dated 23.05.2017.

It is contended that the counsel before the first appellate court noted the wrong date with the result that neither the counsel nor the accused-petitioner could appear before the appellate court.

Without going into the merits of the contentions, the impugned order dated 23.05.2017 passed by learned Addl. Sessions Judge, Rewari, is set aside, subject to deposit of ₹5,000/- by the petitioner in the District Legal Aid Funds, Rewari. The appeal is restored to its original number and is ordered to be decided on merits.

Disposed of.

**(KULDIP SINGH)
JUDGE**

August 02, 2017

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No