

**Sr. No.229
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-A-632-MA of 2013 (O&M)

Date of Decision: 17.01.2018

State Bank of Patiala

... Applicant/Appellant

Versus

Ramesh Kumar

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Deepak Thapar, Advocate,
for the applicant/appellant.

Mr. Amit Singla, Advocate,
for the respondent.

TEJINDER SINGH DHINDSA, J.(ORAL)

Present application seeking leave to appeal has been preferred against the judgment dated 26.02.2011 passed by the learned Judicial Magistrate Ist Class, Hisar and in terms of which the complaint under Section 138 of the Negotiable Instruments Act preferred by the State Bank of Patiala against respondent Ramesh Kumar was dismissed.

Counsel for the parties are ad idem that after filing of the instant appeal Ramesh Kumar has expired.

In the light of such factual premise, Mr. Deepak Thapar, learned counsel representing State Bank of Patiala does not press his application preferred under Section 378 (4) of the Code of Criminal Procedure for grant of leave to appeal against the order of acquittal of the deceased respondent. Consequently, the application as also the accompanying appeal are dismissed as not

pressed.

In the light of above, there would be no necessity to even deal with the application preferred under Section 5 of the Limitation Act seeking condonation of delay of 748 days in filing the application for grant of leave to appeal.

Disposed of.

17.01.2018

(TEJINDER SINGH DHINDSA)

vandana

JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No