

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

126

CRM-M No.13886 of 2018

Date of Decision: April 5<sup>th</sup>, 2018

Suraj Bhan

...Petitioner

Versus

Smt. Kanti Kumari and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. Ajay Kumar Kansal, Advocate  
for the petitioner.

**AUGUSTINE GEORGE MASIH, J. (ORAL)**

Counsel for the petitioner, after arguing for some time, prays for withdrawal of the present petition to avail of his remedy of appeal against the order dated 05.03.2016 passed by the Additional Chief Judicial Magistrate, Jind, in the light of the order dated 25.01.2018 passed by the learned Additional Sessions Judge, Jind, (Annexures P-8 and P-10 respectively).

In case the petitioner files an appeal within a period of one week from today along with an application for condonation of delay, the Appellate Court shall consider the same sympathetically keeping in view the fact that the petitioner had earlier availed of a remedy on the basis of a wrong advice and has again approached this Court under a *bona fide* mistake.

Disposed of with above observations.

**April 5<sup>th</sup>, 2018**  
*Puneet*

**(AUGUSTINE GEORGE MASIH)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No