

CRM-M-15408 of 2015

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

CRM-M-15408 of 2015
Date of Decision: 13.11.2018

Patram

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Ajit Kumar Sharma, Advocate,
for Mr. Ram Darshan Yadav, Advocate, for the petitioner.
Mr. Yashwinder Singh, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing order 13.03.2015 (Annexure P-3) of the learned Additional Sessions Judge, Rewari, whereby revision of the petitioner against order dated 20.02.2014 (Annexure P-2) of the learned Judicial Magistrate Ist Class, Kosli, dismissing protest petition of the petitioner-complainant, was dismissed.

Proxy counsel for the petitioner prays for adjournment. However, the same is declined in view of the fact that this petition was filed on 01.05.2015 and for the first time taken on board on 13.07.2015. But since, none appeared on behalf of the petitioner on that date, therefore, in the interest of justice, petition was adjourned to 03.09.2015. But on 03.09.2015 again none appeared on behalf of the petitioner and in terms of written request circulated on his behalf, petition was adjourned to

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14.12.2015. When for the third time, the petitioner had gone unrepresented on 14.12.2015, a Co-ordinate Bench of this Court, finding no other option, dismissed this petition for want of prosecution. Thereafter, learned counsel for the petitioner filed application bearing CRM No.5378 of 2016 for recalling said order dated 14.12.2015 and same was listed on 11.03.2016. Thereafter, on three dates, application was adjourned either on request on behalf of learned counsel for petitioner or on account of non-representation on his behalf. The said application was allowed on 02.02.2017. Consequently, order dated 14.02.2015 was recalled and petition was restored to its original number. Thereafter, petition was taken up on board on 19.09.2017 and was adjourned to 22.01.2018 on request of learned counsel for the petitioner. Thereafter, this petition was further taken up on 08.08.2018, on which date the same was adjourned to today on request of proxy counsel.

Above conduct of the petitioner and his counsel shows that after filing of the instant petition, around three years and six months ago, repeated adjournments are being sought either on one pretext or other for the reasons best known to them. Therefore, there is no justification to grant adjournment.

Even otherwise, learned State counsel submits that instant petition is meritless and baseless in view of the fact that protest petition of the petitioner against the untraced report was dismissed by learned JMIC vide impugned order 20.02.2014 (Annexure P-2), which was challenged by the petitioner in revision, which too was dismissed by the revisional Court vide impugned order dated 13.03.2015 (Annexure P-3).

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Therefore, no further remedy by way of Section 482 Cr.P.C. was available with the petitioner.

In view of above, instant petition is dismissed being baseless, meritless and for want of prosecution as well.

November 13, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No