

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-32899-2018

Date of decision: 02.08.2018

Suresh Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Ms. Renu Dhull, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for setting aside the order dated 28.05.2018 (Annexure P-4) of the Revisional Court, Kaithal, whereby revision filed by the petitioner titled “Suresh Kumar Vs. Rohtash and others”, has been dismissed for want of prosecution.

Learned counsel *inter alia* contends that absence of the petitioner or her as his counsel on 28.05.2018, was not intentional or deliberate. In fact, some altercation had taken place on 10.05.2018 between her and her co-Advocates, who took away her case diary and other office articles from her chamber. Therefore, on the relevant date i.e. 28.05.2018, she was not having her case diary and, thus, could not appear before the Revisional Court.

Having given thoughtful consideration to the submissions made by learned counsel for the petitioner, the instant petition is allowed.

Impugned order dated 28.05.2018 (Annexure P-4) passed by the Revisional

Court, dismissing the revision of the petitioner for want of prosecution is set aside. Revisional Court is directed to restore the revision of the petitioner to its original number and proceeding further, in accordance with law. The petitioner is directed to appear before the revisional Court, Kaithal on 13.08.2018.

August 02, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No