

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

**CRM-M- 7471 of 2017 (O&M)
Date of decision: February 14, 2018**

Gurdeep Singh

.....Petitioner

Versus

Amardeep Singh

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Bhatia, Advocate, for the petitioner.

MAHABIR SINGH SINDHU, J. (ORAL)

It is contended by learned counsel for the petitioner that on account of wrong date noted by petitioner's counsel before the learned trial Court, the petitioner did not appear on 28.11.2016 and that led to the dismissed of complaint for non-prosecution. It is further contended that complaint is at initial stage and even no notice was issued to the opposite side.

The contention seems to be genuine and accepted. Even otherwise the matter pertains to dishonour of a cheque and therefore, the petitioner is not going to gain anything while delaying the complaint.

Consequently, the present petition is allowed and impugned order dated 28.11.2016 (Annexure P/3) is set aside. However, it is made clear that in case the respondent has any grievance against the passing of this order he can move to this Court and recall the same as this petition has been allowed without issuing notice to the opposite side to avoid unnecessary harassment.

**(MAHABIR SINGH SINDHU)
JUDGE**

February 14, 2018

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| 1. | Whether reportable? | Yes / No |
| 2. | Whether reasoned / speaking? | Yes / No |