

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

CRA-S-624-SB of 2012
Date of decision: 11.04.2019

Gurbachan Singh

.....Appellant

versus

M/s Mohan Lal Rakesh Kumar and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - None for the appellant.
Mr. Vishal Khatri, Advocate,
for Mr. Vipul Jindal, Advocate, for respondent No.1.
Mr. Hittan Nehra, Addl. A.G., Punjab.

RAMENDRA JAIN, J. (ORAL)

As per office report, learned counsel for the appellant has expired. Learned counsel for respondent No.1 contends that perhaps appellant-complainant has also expired.

Perusal of file shows that in order dated 20.01.2011, a Co-ordinate Bench of this Court observed that instant appeal is not maintainable in view of judgment in *Janani Advertising v. Benett Colman & Co. Ltd., 2003(1) DCR 562*. However, same was adjourned on request of learned counsel for the applicant.

Since appeal/application is not maintainable inasmuch as the appellate Court had not acquitted the private respondent, but modified the sentence of conviction, therefore, instant appeal is dismissed being not maintainable and for want of prosecution as well.

**(Ramendra Jain)
Judge**

April 11, 2019
R.S.

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No