

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

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CRM-A No.1932-MA of 2014 (O&M).

Date of Decision: 03.05.2019.

Umesh Verma

....Petitioner.

Versus

Dal Chand

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Amandeep Saini, Advocate, for
Mr. Sanjay Verma, Advocate, for the applicant.

Shekher Dhawan, J.

Present application under Section 378(4) of the Code of Criminal Procedure has been filed for grant of special leave to file appeal against the order dated 14.11.2013 passed by learned Judicial Magistrate Ist Class, Gurgaon, whereby the complaint under Section 138/142 of the Negotiable Instruments Act, 1881 and Section 420 of the Indian Penal Code, was dismissed for want of prosecution.

The instant application for leave to appeal has been filed after inordinate delay and unexplained delay of 344 days and an application under Section 5 of the Limitation Act, seeking condonation of delay of 344 days has also been moved.

Having considered the submissions made by learned counsel for the applicant and appraisal of the case file, this Court is of the considered view that there is no justified ground for condonation of such huge delay. Otherwise also, on merit, there is no justified ground for acceptance of the application and to interfere with the order passed by learned Magistrate.

In view of the above, the present application for leave to appeal as well as application for condonation of delay are dismissed.

(SHEKHER DHAWAN)
JUDGE

03.05.2019

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No