

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

**CRM-M-39361-2017 (O&M)
DATE OF DECISION:-06.03.2019**

GURMIT KAUR

...PETITIONER...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. D. Khanna, Advocate for the petitioner.
Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. challenge has been laid to order dated 04.09.2017 (P-5), whereby application of the complainant under Section 311 Cr.P.C. and another dated 02.01.2017 filed by the petitioner for directing complainant to diligently pursue his complaint were kept pending, while dismissing the application of the petitioner under Section 249 Cr.P.C. for his discharge by dismissing the complaint.

Learned counsel contends that complainant is not appearing since last two years. Therefore, trial court ought to have dismissed the complaint for want of prosecution and now complainant has expired.

Considering this aspect of the matter, the petitioner is relegated to the trial court to raise all the pleas, which have been raised in this petition there.

Disposed of.

06.03.2019

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whether speaking/reasoned:

Yes/No

whether reportable:

Yes/No

**(RAMENDRA JAIN)
JUDGE**