

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

**Criminal Misc. No.M-36197 of 2019(O&M)
Date of Decision: October 24, 2019**

Suresh Verma

...Petitioner

Versus

The UT Administration Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.R.K.Verma, Advocate
for the petitioner.

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HARINDER SINGH SIDHU, J.

Challenge in the present petition filed under Section 482 Cr.P.C is to the order dated 14.05.2014 (Annexure P-2), whereby, the complaint filed by the petitioner was dismissed for want of prosecution. Also challenged is the order dated 27.10.2017 (Annexure P-5) whereby, the application filed for re-calling the order dated 14.05.2014 was also dismissed for want of prosecution.

The petitioner filed the complaint under Sections 420/465/467/468/471 and 120-B IPC against respondents No.2 to 6 in the year 2013. Vide order dated 14.05.2014 (Annexure P-2) the JMFC Chandigarh dismissed the complaint for non-prosecution. It was noted that despite issuance of notices to him the complainant had remained unrepresented.

Thereafter, in December, 2014 application was filed by the complainant before the Court for re-calling the order dated 14.05.2014.

The petitioner has reproduced the orders dated 25.10.2017 wherein it is reflected that the case was called several times before and after lunch. None appeared for the complainant. Consequently it was again dismissed for want of prosecution vide order dated 25.10.2017.

Thereafter the present petition has been filed impugning the aforesaid orders.

This petition has been filed nearly two years after the second order. There is no explanation for the delay in approaching this Court. There is also no explanation for the non-appearance of the complainant before the court because of which the complaint was dismissed for non-prosecution.

There no illegality in the impugned orders.

Further this petition is also not liable to be entertained on account of the undue delay.

Thus this petition is dismissed.

It is clarified that the dismissal of this petition would not debar the petitioner/complainant from filing a fresh complaint if the same is otherwise permissible in law.

October 24, 2018

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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No