

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

**CRM-M-38948-2019 (O&M)
Date of decision: 13.09.2019**

Harjinder Singh @ Jinder Singh and others

... Petitioners

Vs.

Gurdev Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vishal Sharma, Advocate
for the petitioners.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the order dated 22.08.2019 (Annexure P-6) passed by the Additional Sessions Judge, Ludhiana, in complaint No.COMI/486/2017 dated 13.07.2017, titled as Gurdev Singh Vs. Tarsem Singh and others, vide which the prayer of the petitioners, for extension of time granted vide order dated 18.07.2019 to appear before the trial Court/Duty Magistrate and the order dated 09.08.2019, vide which the petitioners were further granted extension of 06 days more time, is declined.

Learned counsel for the petitioners submits that due to unavoidable circumstances, the petitioners could not appear before the trial Court within the prescribed time and without recording a finding that the petitioners, intentionally, have not appeared before the trial Court, the impugned order (Annexure P-6) has been passed.

Since the petitioners have stated that they are still ready to comply with the order dated 18.07.2019 and appear before the trial Court within a

period of 01 week from today, this petition is allowed and the time for appearance before the trial Court is extended till 20.09.2019.

It is made clear that in case the petitioners fail to appear before the trial Court on or before 20.09.2019, this petition shall be deemed to be dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

13.09.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No