

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

**CRM No.16388-2017 in/and
CRM-A-1085-MA-2017 (O&M)
Date of Order: 03.04.2019**

M/s Rana Tyres

..Appellant

Versus

Mukesh Kumar Jindal

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Gautam Kaile, Advocate
for the appellant.**

ANIL KSHETARPAL, J(Oral)

Two cases under Section 138 of the Negotiable Instrument Act, 1881 were initiated against the respondent. Both were tried simultaneously and were inter-connected. In both the cases, the prosecution failed to establish its case and, therefore, the complaints were dismissed.

Application under Section 378(4) of the Code of Criminal Procedure against the aforesaid connected judgment passed on the same day by the same Presiding Judge has been dismissed vide order dated 13.02.2019 in Criminal Misc. No.14150 of 2017 on the ground of delay.

In the present case, the delay is 422 days. On reading of the application, it is apparent that the delay has not been properly explained and the applicant has failed to plead sufficient cause for seeking condonation of huge delay in filing the appeal.

Hence, the application for condonation of delay as well as
appeal are dismissed.

April 03, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No