

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

**CRR(F)-547-2019
Decided on : 25.02.2020**

Aakash Aggarwal

. . . Petitioner(s)

Versus

Anjali Aggarwal and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Anil Kumar Rana, Advocate
for the petitioner(s).

Mr. Sachin Mittal, Advocate
for the respondent(s).

MANJARI NEHRU KAUL, J. (Oral)

The instant revision petition has been preferred against the order dated 16.05.2019, passed by the learned Addl. Principal Judge, Family Court, Gurugram, vide which the defense of the petitioner has been struck off in a petition filed under Section 125 Cr.P.C. by respondent No.1.

It was submitted that the Lower Court while striking off the defence of the petitioner failed to appreciate that he had not filed reply as he was of a bona fide belief that another opportunity had been granted to him to file reply on the date adjourned i.e. 18.07.2019. It was also submitted that he was unable to upload the impugned order dated 16.05.2019, which was also one of the reasons for the petitioner being unaware about the impugned order.

Heard.

A perusal of the impugned order reveals that the petitioner had in fact appeared in person on 10.01.2019 and on appearance did not file his reply. Thereafter, he failed to file reply despite the passage of four months.

It was in this background that the defense of the petitioner was rightly

struck off.

In the facts and circumstances of the case, I do not find any infirmity and perversity in the impugned order passed by the Court below, which would warrant the interference of this Court to exercise its revisional jurisdiction. Consequently, the instant revision petition stands dismissed.

**(MANJARI NEHRU KAUL)
JUDGE**

February 25, 2020

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No