



Crl.M.P.No.3050 of 2018
in Crl.R.C.Sr.No.10733 of 2018

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D.BHARATHA CHAKRAVARTHY, J.

This Revision petition was filed against the order dated 18.06.2014, whereby an application for condoning the delay in filing a private complaint for the offences punishable under Section 138 of the Negotiable Instruments Act in Crl.M.P.No.306 of 2014 was dismissed for default on the ground that the complainant was not present.

2. Even though, the said delay is only for a period of one day and even though the petitioner/complainant is correct in contending that even without giving further opportunity to the petitioner, the trial Court dismissed the said application, on perusal of the affidavit filed along this present application to condone the delay of 1331 days in filing this Revision, it is clear that even though initially the complainant was not aware of, again when the same was informed, thereafter also no proper steps were taken.

D.BHARATHA CHAKRAVARTHY, J.



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3. It is avered that only in the year 2016, the copy application was again made and copy was made ready. Even thereafter, the revision was filed only on 22.02.2018 and therefore, the said further delay clearly shows that the complainant was not diligently prosecuting the matter.

4. The reasons mentioned in the affidavit for condoning the delay in filing the Criminal Revision is not satisfactory and therefore, this Criminal Miscellaneous Petition is dismissed.

20.07.2022

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