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

CRM-A-1046-MA-2018 (O&M)
Date of decision : 15.11.2022

Ravi Kumar

...Applicant

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sunil Mallan, Advocate for the applicant.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

CRM-21250-2018

This is an application filed under Sections 5/14 of the Limitation Act read with Section 470 of Cr.P.C. for condonation of delay of 425 days in filing the present appeal.

For the reasons stated in the application, the delay of 425 days in filing the application under Section 378(4) of Cr.P.C. for grant of leave to file an appeal is condoned.

Application is allowed.

Main case

Challenge in the present application under Section 378(4) of Cr.P.C. for grant of leave to file an appeal is to the order dated 06.01.2017

passed by the Court of Judicial Magistrate Ist Class, Amritsar whereby Criminal Complaint bearing No.864/2015 titled as “Ravi Kumar Vs. Varun Kapoor” under Section 138 of the Negotiable Instruments Act, read with Section 420 of IPC was dismissed in default for want of prosecution and respondent No.2 was acquitted.

Learned counsel for the applicant seeks permission of this Court to withdraw the present application with liberty to file a fresh appeal after giving full and better particulars.

In view of the above, the present application for grant of leave to file an appeal is dismissed as withdrawn with liberty aforesaid.

All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

15.11.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No