

**CRM-9799-2018 in/and
CRM-A-644-MA-2018**

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

**CRM-9799-2018 in/and
CRM-A-644-MA-2018
Date of decision:-19.01.2023**

Moti Ram

...Applicant.

vs.

Ramesh Kumar and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vineet Chaudhary, Advocate,
for the applicant.

HARKESH MANUJA, J. (Oral)

CRM-9799-2018

Present application is for condonation of delay of 1138 days in filing the present appeal, challenging the judgment dated 14.08.2014, passed by the Court of learned Sub-Divisional Judicial Magistrate Naraingarh, whereby acquittal order has been passed in favour of the private respondents.

From perusal of the contents made in the application, no sufficient cause has been made out for the purpose of condoning such a huge delay of 1138 days, in filing the present appeal. In fact, the application as well as appeal filed at the instance of complainant appears to be an afterthought, just to harass and humiliate the private respondents, who stood acquitted way-back in the year 2014 and have been living peacefully without their being any kind of fresh allegations against them.

Accordingly once, in the facts and circumstances of the present case, I am unable to convince myself as regards condonation of huge and inordinate delay of 1138 days in filing the appeal, there is no point to entertain application under Section 378(4) Cr.P.C. for grant of leave to appeal against the impugned judgment dated 14.08.2014. As such, the application is dismissed.

Main case

Consequent to the dismissal of the application for condonation of delay, CRM-A-644-MA-2018 also stands dismissed.

19.01.2023
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No