

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

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Crl. Misc. No.M-42348 of 2018 (O&M)
Date of Decision:- 19.01.2023

SUKHMINDER SINGH

....Petitioner

vs.

STATE OF PUNJAB AND ORS

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present :- Mr.Harsh Aggarwal, Advocate,
for the petitioner.

Mr. Govind Rana, Advocate for
Mr. Kewal Singh, Advocate,
for respondent Nos.2 to 8.

Sudhir Mittal, J. (Oral)

This petition has been filed for quashing order dated 19.05.2017 as well as order dated 31.07.2018 whereby the trial Court has dismissed a criminal complaint filed by the petitioner in default and has refused to restore the same.

Learned counsel for the petitioner submits that a wrong date was noted by the counsel. This is proved by the diary of the counsel and, thus, the impugned orders deserve to be set aside.

Learned counsel for respondent Nos. 2 to 8 has not been able to raise any effective argument in support of the impugned orders.

From the above, it is evident that the complaint was dismissed in default as the learned counsel for the petitioner had noted a wrong date.

The impugned orders, thus, deserve to be set aside so that the complaint can be decided on merits.

The petition is accordingly allowed and impugned orders dated 19.05.2017 and 31.07.2018 are quashed. Criminal complaint No.703/1 dated 19.05.2015 is restored to its original number.

Petitioner is directed to appear before the trial Court on 15.02.2023.

Pending application, if any, is also disposed of.

January 19, 2023	(SUDHIR MITTAL)
poonam	JUDGE
Whether Speaking/Reasoned	Yes
Whether Reportable	No