

228 2023:PHHC:141865
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRR-63-2017 (O&M)
Date of decision: 07.11.2023
SURINDER PAL SINGH

...Petitioner

V/s

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioner.

Mr. I.P.S. Sabharwal, DAG Punjab.

None for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. On 24.09.2019, this Court has adjourned case to 06.12.2019, in the interest of justice. However, it was made clear that in case the petitioner failed to argue the matter on the next date fixed, interim directions issued by this Court vide order dated 13.01.2017 shall cease to operate.

2. On 24.04.2023, following order was passed:

"1. The petitioner has assailed the order dated 17.11.2016 passed in complaint No. 08 RT dated 13.10.2011 titled as "Dhian Singh vs. Surinderpal Singh and another" vide which charge under Section 418 of the Indian Penal Code has been framed against the petitioner.

2. In the instant case, none has appeared on behalf of the petitioner. At the earlier instance, learned counsel for the petitioner had submitted that the petitioner has withdrawn instructions from him and on the basis of his request, he was discharged from the present case. The notice was also issued to the petitioner and the same has been received back unserved with the report that he is not residing at the given address.

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3. *Let, the status of the case in the trial Court be called for.*
4. *Adjourned to 16.05.2023.”*

3. In continuation of the aforesaid order, the District & Sessions Judge, Patiala forwarded the report dated 06.05.2023 of learned Judicial Magistrate Ist Class, Rajpura. Perusal of the said report indicates that the petitioner has not attended the trial proceedings since 19.04.2019.

4. Today, the case has been called twice. None has put in appearance on behalf of the private parties. In such a scenario, this Court has no other option but to invoke the rigors of the order dated 24.09.2019. Thus, the interim directions issued vide order dated 13.01.2017 are hereby vacated.

5. Keeping in view the facts and circumstances of the present case, the present petition is dismissed in default for non-prosecution.

(HARPREET SINGH BRAR)
JUDGE

07.11.2023
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No