

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

254 CRM-M-47579-2021
Decided on: 27.04.2023

BaljeetPetitioner

Vs.

Rajesh YadavRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Dr. Anand Bishnoi, Advocate for the petitioner.

Mr. Abhinav Gupta, Legal aid counsel
for the respondent.

ANOOP CHITKARA J.

Criminal Complaint	No. NIACT/665/2019 instituted on 07.05.2019 titled as Baljeet vs. Rajesh Yadav, under Section 138 of the Negotiable Instruments Act, District Pataudi.
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Feeling aggrieved by the trial court's order, dismissing the complaint in default due to the complainant's non-appearance, the complainant has come up before this Court by filing the above-mentioned petition.

- The explanation offered by the petitioner is that wrong noting and due to confusion created by the exemption application filed by the accused.
- Be that as it may, the trial Court was in a haste to dismiss the complaint and there is no reference that whether the message was conveyed to the bar about counsel for not appearing on that day.
- In the entirety of facts and circumstances of the case, the petition is allowed and the impugned order dated 28.02.2020 is hereby quashed and set aside and let the trial proceed further in accordance with law. Parties are directed to appear before the trial Court on 15.05.2023 at 10 am. The trial Court is directed to expedite the trial and make endeavor to complete it by 31.8.2023 subject to the condition that the parties shall not seek any adjournment. All pending application(s), if any, stand disposed of.
- This order is subject to the petitioner(s) depositing a sum of rupees one thousand (Rs.

2023:PHHC:060135

1,000/-), by **15.05.2023**, in the following account and hand over its receipt to the trial court.

Account Name - **HARYANA POLICE WELFARE FUND**
Account No. - 50100097073807
Account Type - Saving Account
Bank Name - HDFC Bank, Sector-8, Panchkula
IFSC Code - HDFC000108

(ANOOP CHITKARA)
JUDGE

27.04.2023
anju rani

Whether speaking/reasoned: Yes
Whether reportable: **No.**