

(107)

2023:PHHC:112215

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

CRM-M-42543 of 2023

Date of Decision: August 28, 2023

Jetha Singh

...Petitioner

Versus

Gurnam Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. B.S. Jaswal, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner is the complainant in a private complaint under Section 138 of the NI Act, in which conviction of the respondent-accused – Gurnam Singh was recorded by the trial Court.

Learned counsel for the petitioner contends that though the appeal was filed after much delay but on the concession given to the petitioner- complainant, the delay was condoned as it had been projected that matter shall be compromised by the respondent- accused. Learned counsel further contends that matter was sent to the Lok Adalat but compromise was not effected by the respondent- accused as respondent did not even appear before the Lok Adalat.

Learned counsel has drawn attention of this Court towards the various orders passed by the Appellate Court which would reveal that ever since 20.05.2022, the matter is listed before the Court of Sessions only for the purpose of receiving the record from the trial Court. It is despite the fact that trial Court as well as Sessions Court and the record room are situated in the same premises.

Learned counsel contends that respondent- accused is unintentionally delaying the matter and enjoying the bail granted to him.

Prayer in this case is for early disposal of the appeal.

Having noticed the afore-said facts, the Appellate Court shall ensure receiving of the lower Court record and dispose of the matter within three months from today even by preponing the matter.

Disposed of.

August 28, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No