



201-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-A No.797-MA of 2013(O&M)

Date of Decision: 28.10.2024

M/s. Narain Steel

... Applicant-Appellant

Versus

M/s. ITAC Limited and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARAPresent: Mr. A.P. Bhandari, Advocate
for the applicant-appellant(s).

ANOOP CHITKARA, J.

1. The applicant has come up against the judgment of acquittal dated 21.02.2012 passed by the Sessions Court, under Section 378(4) Cr.P.C.
2. Counsel for the applicant submits that despite his best efforts, he could not get correct addresses of the respondents.
3. On 02.09.2024, this Court had passed the following orders:

*“ As per report of Registry, the respondents are still unserved.
Let fresh notice be issued to the respondents subject to filing of
correct address by 16.09.2024 for 10.12.2024.
If the correct address is not filed, Registry to list the matter on
23.09.2024 on which date the present case might be dismissed for non-
prosecution.
Photocopy of this order be placed on the file of the connected case.”*
4. Given above, the present leave to appeal is hereby **dismissed** for non prosecution with liberty reserved to file fresh leave to appeal under section 419, BNSS, 2023. The time for which the present leave to appeal was pending before this Court shall not be counted for the purpose of limitation. After that the time which will be consumed in taking correct/fresh addresses, they shall be at liberty to explain the delay by mentioning the steps taken to trace out the addresses of the respondent(s).
5. It is further clarified that the dismissal of the present leave to appeal shall not come in the way in case the complainant files fresh leave to appeal under section 419 BNSS, 2023. Pending applications, if any, also stand disposed of.

(ANOOP CHITKARA)
JUDGE

28.10.2024

Sonia Puri

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No.