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

**CRM-A-864-MA of 2018 (O&M)
Date of Decision: 16.05.2024**

Pawan Kumar Ahuja

...applicant-appellant

Versus

Manoj Saini

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: None for the applicant-appellant

ANOOP CHITKARA, J.

1. Seeking special leave to file appeal against judgment dated 03.01.2018 passed by Judicial Magistrate Ist Class, Ludhiana whereby the respondent has been acquitted under Section 138 of Negotiable Instrument Act, 1881, the applicant-appellant has come up before this Court under Section 378(4), Cr.P.C.

2. On 10.12.2018, there was no representation on behalf of the applicant-appellant and the Coordinate Bench of this Court passed the following order which is reproduced as under:

"In the interest of justice, adjourned to 29.03.2019."

3. However, the matter was adjourned on various dates.

4. Later on, the matter was taken up on 07.02.2023, and the applicant-appellant was not present and the following order was passed:

"Case has been called thrice.

No one has put in appearance on behalf of the appellant.

In the interest of justice, adjourned to 06.07.2023."

5. Again, on 06.07.2023, the applicant-appellant remained unrepresented and the following order was passed which reads as under:

"There is no representation on behalf of the parties.

In the interest of justice, adjourned to 31.10.2023."



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6. Further, the matter was taken up on 02.05.2024 and none had come present on behalf of the applicant-appellant and the following order was passed by this Court:

“Case called again.

There is no representation on behalf of the applicant.

List on 09.05.2024.”

7. However, on 09.05.2024, the applicant-appellant again did not come present and the following order was passed by this Court which reads as under:

“On last date of hearing, the applicant-appellant was unrepresented.

Even today, none has made appearance on his behalf.

List on 16.05.2024.

It is clarified that if the applicant-appellant fails remains unrepresented on the next of date of hearing, this Court may dismiss the present leave to appeal on account of default.”

8. The matter was taken up today and none has come present on behalf of applicant-appellant

9. Despite being given various opportunities, the applicant-appellant is still unrepresented. Seemingly, the applicant-appellant is not interested in pursuing the matter.

10. Hence, the present application is dismissed for non-prosecution.

(ANOOP CHITKARA)
JUDGE

16.05.2024

Sonia Puri

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No.