

2025:PHHC:081625



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

**CRR-2543-2013
DECIDED ON: 08.07.2025**

ASHOK MITTAL

.....PETITIONER

VERSUS

VANDANA MITTAL

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Seema Pasricha, Advocate
for the petitioner.

Mr. Davinder Singh, Advocate
for the respondent.

SANDEEP MOUDGIL, J (ORAL)

1. The present revision petition has been filed against the judgment dated 25.10.2010 passed by the learned Judicial Magistrate 1st Class, Amritsar, whereby the respondent was acquitted of the charges. The appeal filed against the said judgment was dismissed on account of the dismissal of the application for condonation of delay of 14 days in filing the appeal.

2. Learned counsel for the petitioner has submitted that the petitioner applied for a certified copy of the acquittal order on 02.11.2010, which was delivered to the Clerk of the counsel on 13.12.2010. However, despite regular visits to the office, the petitioner was provided the said copy only in the second week of January. Thereafter, the petitioner consulted his counsel and filed the appeal before the lower Appellate Court, resulting in a delay of 14 days. It is contended that the delay was neither intentional nor deliberate.

3. Heard.
4. In view of the submissions made, and considering the explanation offered for the delay, this Court deems it appropriate to allow the present revision petition. Accordingly, the impugned order 16.05.2013 passed by learned Additional Sessions Judge, Amritsar, dismissing the appeal on the ground of delay is set aside. The matter is remanded to the lower Appellate Court with a direction to decide the appeal afresh on merits, in accordance with law.
5. Disposed of accordingly.

08.07.2025
Sham

(SANDEEP MOUDGIL)
JUDGE

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