

Ravi Kumar @ Ravi Kumar Bansal Petitioner

Versus

Hemant Goyal and another Respondents

Present: Mr. Gurbir Singh Sidhu, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing the impugned order dated 12.03.2025 passed by learned CJM, Barnala in a complaint No.COMI/188/2021 dated 21.12.2021, under Sections 420, 467, 468, 471, 120, 499, 500 IPC and direct the trial Court to restore the said complaint.
2. It has been vehemently contended by learned counsel for the petitioner that the petitioner is the complainant, who filed a complaint under Sections 420, 467, 468, 471, 120, 499, 500 IPC. He submits that the petitioner alongwith his counsel was regularly appearing before the trial Court, however, only one date i.e. on 12.03.2025, he failed to appear and hence, the complaint filed by the petitioner was dismissed for non-prosecution by learned trial Court. He submits that if the complaint is not decided on merits, then the petitioner would suffer an irreparable loss and injuries. He further submits that as the complaint has not been decided on merits, the same be restored to its original number for the decision on merits.
3. After hearing learned counsel for the petitioner and perusing the record, it is apparent that the petitioner before this Court is the complainant of the complaint, which has been dismissed for non-prosecution vide impugned



order dated 12.03.2025, due to absence of the petitioner. In case, the complaint is not decided on merits, then the petitioner would suffer an irreparable loss and injury. It is further evident from the record that the complaint was not decided on merits. In these circumstances, the Court finds that the complaint should be restored to its original number and be decided on merits. The impugned order dated 12.03.2025 is set aside and the trial Court is directed to restore the complaint to its original number and proceed with the same in accordance with law.

4. Present petition stands allowed in above terms.

29.05.2025
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No