

**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA.**

Cr.MMO No. 365 of 2017

Decided on: 22.9.2017

Dinesh Kumar

...Petitioner.

Versus

Suresh Kumar

...Respondent.

Coram:

Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge.

Whether approved for reporting? ¹

For the Petitioner : Mr. G. R. Palsra, Advocate.

For the respondent : None.

Justice Tarlok Singh Chauhan, Judge (oral):

By medium of this petition, under Section 482 of the Code of Criminal Procedure, the petitioner appears to be aggrieved by the order dated 13.9.2017 passed by learned Additional Sessions Judge-I, Mandi, District Mandi, H.P. in Cr.M.A. No. 133 of 2017 (for short impugned order) whereby his application for extension of time to deposit the amount upto 22.9.2017 has been rejected.

¹ Whether reporters of the local papers may be allowed to see the judgment? yes

2. Having perused the order, I find the same to be rather harsh. However, at the same time, since the petitioner has only sought time to deposit the amount upto today i.e. 22.9.2017, therefore the impugned order dated 13.9.2017 is kept in abeyance upto 22.9.2017 and in the event of non-deposit of the amount, then obviously the same shall automatically revive.

3. The petition is disposed of in the aforesaid terms, so also the pending application.

4. However, liberty reserved to the petitioner to move the Court below for extension of time, which application, needless to say as and when filed, shall be considered strictly in accordance with law.

Copy ***dasti***.

**(Tarlok Singh Chauhan),
Judge.**

22.9.2017

GR