

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
Cr. MMO No. 942 of 2025
Decided on : 26.9.2025

Hari Chand

...Petitioner

Versus

The Kangra Central Co-op Bank

...Respondent

Coram

Hon'ble Mr. Justice Virender Singh, Judge

Whether approved for reporting?

For the Petitioner : Mr. Arun Kumar, Advocate.

For the Respondent : Mr. S.S. Rathore, Advocate.

Virender Singh, Judge (oral)

By way of present petition, indulgence of this Court has been sought to quash the order dated 1.9.2025, passed by the Court of learned Addl. Sessions Judge, Kullu, H.P. (hereinafter referred to as 'the Appellate Court'), by virtue of which, the application for extension of time to comply with the order dated 29.5.2025, passed in case No. 421 of 2025, titled as, 'Hari Chand versus KCC Bank' has been dismissed.

2. In addition to this, a prayer has been made to extend the time to comply with the order dated 29.5.2025, passed by the learned Appellate Court. The applicant, alongwith the said appeal, has filed Cr. M.P. No. 274 of 2025 (CIS R. No. 640/2025), which was allowed by the learned Appellate Court, vide order dated 29.5.2025, by suspending the order of sentence, dated 1.5.2025, passed by the Court of learned Chief Judicial Magistrate, Lahaul & Spiti at Kullu, District Kullu, H.P. (hereinafter referred to 'the trial Court') in Cr. Complaint No. 1032/1 of 2015, titled as, 'KCC Bank versus Hari Chand', subject to furnishing personal bond in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of the learned trial Court and to deposit 20% of the compensation amount, within a period of two months, from the date of passing of order, i.e. 29.5.2025. The said order has not been complied with by the petitioner, within the time granted by the learned Appellate Court.

2. Thereafter, the petitioner has again approached the learned Appellate Court for extension of time, however, his application has been dismissed on 1.9.2025.

3. As per the petitioner, the order passed by the learned appellate Court could not be complied with, due to the ailment of his son and financial crisis.

4. Considering the aforesaid facts, the present petition, which is duly supported by the affidavit of the applicant, is allowed by setting aside the order dated 1.9.2025, passed by the learned Appellate Court, and order dated 29.5.2025 is ordered to be complied with, within a period of three weeks from today, failing which, consequences, as ordered by the learned Appellate Court, would ensue.

5. In view of above, the present petition is disposed of, so also the pending miscellaneous application(s), if any.

(Virender Singh)
Judge

September 26, 2025
Kalpana

