

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

-.-

Date of decision: 20.01.2017

CRM M 117 of 2013

Deepika Kansal and others

..... Petitioners

Versus

Vishal Goyal etc.

.....Respondents

CRM M 487 of 2013

Ankush Kansal and others

.....Petitioners

versus

Vishal Goyal etc.

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Deepak Sonak, Advocate
for the petitioners

Mr. Vishal Gupta, Advocate
for the respondents

-.-

Rekha Mittal, J. (Oral)

This order will dispose of aforesaid petitions as identical questions of law and fact are involved for adjudication.

After arguing for some time, counsel for the petitioners has submitted that as plea raised by the petitioners seeking quashing of the proceedings needs to be examined on the basis of evidence to be adduced by way of defence, the petitions may be disposed of but without prejudice to rights of the petitioners to raise all available pleas before the trial Court. It is further submitted that during pendency of trial, personal appearance of

the petitioners may be exempted.

Counsel for the respondent/complainant states that an appropriate order may be made.

In view of the above, the instant petitions are disposed of leaving the parties at liberty to raise all available pleas before the trial Court. However, personal appearance of the petitioners shall remain exempted subject to the following conditions:-

- 1) the petitioners shall ensure their presence in the proceedings through their counsel;
- 2) they shall not raise any question qua identity for want of their personal appearance before the Court; and
- 3) they shall cause personal appearance on the date(s) when their presence would be necessary for progress of the trial.

Xerox copy of this order be placed on the file of connected case.

(Rekha Mittal)
Judge

20.01.2017
mohan bimbira

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