

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

CRM-M-12073 of 2015 (O&M)
Decided on: 05.12.2017

Bhushan Chetal

... Petitioner.

vs.

State of Punjab and others

... Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Yogesh Goel, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Pawandeep Singh, Advocate for
Mr. G.S.Bedi, Advocate
for respondent No.2.

Mr. R.P.S.Ahluwalia, Advocate
for respondent No.3.

HARI PAL VERMA, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.258 dated 28.10.2012 under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Jodhewal, District Ludhiana (Annexure P-1) including report under Section 173 (8) Cr.P.C. (Annexure P3) and all consequential proceedings arising therefrom.

Learned State counsel submits that case is at the stage of prosecution evidence.

Faced with this, learned counsel for the petitioner does not press the present petition and prays for withdrawal of same, however, with liberty to the petitioner to take all possible pleas before the trial Court during the course of trial. He further submits that order dated 14.09.2016

passed by this Court, whereby personal appearance of the petitioner was exempted before the trial Court and he was allowed to be represented through counsel, may be allowed to continue during the course of trial.

Learned counsel for respondents No.2 and 3 have no objection to the above submissions made on behalf of petitioner.

In view of the above, the present petition is dismissed as withdrawn with liberty to the petitioner to take all possible pleas, as admissible under law, during the course of trial.

Further as regard the personal appearance of petitioner, same shall be exempted by the trial Court subject to following conditions:-

- 1. that petitioner shall be represented through counsel;*
- 2. that he shall not delay/stall the trial proceedings;*
- 3. that he shall not dispute his identity as an accused;*
- 4. that he shall have no objection if the prosecution evidence is recorded in his absence but in the presence of his counsel;*
- 5. that he shall appear before the trial Court as and when required by the trial Court;*
- 6. any other condition which the learned trial Court may impose.*

05.12.2017
smriti

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No