

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

Decided on: 11.01.2017

1. CRM No.M-17077 of 2016

Gopal DassPetitioner

Versus

State of Punjab
.....Respondent

2. CRM No.M-18153 of 2016

Vicky and anotherPetitioners

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Ms. Meena Bansal, Advocate
for the petitioners (in both the petitions)

Mr. Navdeep Singh, DAG, Punjab (in both the petitions)

Mr. Divyadeep Walia, Advocate
for the complainant.

REKHA MITTAL, J. (Oral)

By way of this order, I shall dispose of CRM Nos.M-17077 of 2016 and No.M-18153 of 2016 as these have emerged out of the same orders dated 03.11.2015 passed by the Judicial Magistrate Ist Class, Bathinda and dated 08.02.2016 (Annexure P5) passed by the Additional Sessions Judge, Bathinda, whereby Gopal Dass, Kaushalya and Vicky have been summoned as additional accused under Section 319 of the Code of Criminal Procedure (in short 'Cr.P.C.') for commission of offence punishable under Section 406 and 498-A of the Indian Penal Code (in short 'IPC').

Counsel for the petitioners has submitted that in pursuance of the order of summoning, the petitioners have already put in

appearance before the trial Court, they have been charge-sheeted and the trial is in progress. She further states that she does not press the petitions on merits but personal appearance of the petitioners may be exempted during pendency of the proceedings before the trial Court.

Counsel for the respondent/complainant Sh. Divyadeep Walia, Advocate has got no objection if personal appearance of the petitioners remain exempted during course of trial except when their personal appearance is otherwise required for progress in proceedings.

Counsel for the State has also got no objection.

I have heard counsel for the parties and perused the paperbook.

In view of the consensus arrived at between counsel for the petitioners and counsel for the complainant, the petitions stand disposed of. However, personal appearance of the petitioners shall remain exempted during course of trial subject to the following conditions:-

- 1. The petitioners shall be represented through a counsel before the trial Court.*
- 2. They will not raise any dispute with regard to their identity for want of their personal appearance.*
- 3. They would appear in person before the trial Court on the date(s) their personal appearance would be required for progress in the trial.*

Disposed of accordingly.

11.01.2017
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(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No