

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

CRM-M-41913-2017

Date of decision: 08.11.2017

Shree Ram Dass Rice & General Mill and another

... Petitioners

Vs.

M/s Kundra Trading Company

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Parveen K. Kataria, Advocate
for the petitioners.

ARVIND SINGH SANGWAN, J. (ORAL)

Counsel for the petitioners submits that in two identical matters i.e. CRM-M-40034-2017 and CRM-M-40086-2017, the following order has been passed on 27.10.2017: -

“This order shall dispose of above mentioned two petitions i.e. CRMM-40034-2017 and CRM-M-40086-2017.

Learned counsel for the petitioners restricts his arguments to the extent that the petitioner is 71 years old man, his personal appearance be exempted before the trial Court.

*Learned counsel for the petitioners relies upon **2001(4) RCR (Criminal) 137, M/s Bhaskar Industries Ltd. vs. M/s Bhiwani denim & Apparels Ltd** wherein, Hon'ble Supreme Court has granted exemption on the conditions that petitioner-accused will not raise any objection with regard to recording of the statements in his absence and in case, counsel appearing for the petitioner(s) fails to cooperate with the proceedings in the trial,*

personal appearance granted to the petitioner shall be recalled.
Accordingly, present petition is disposed of with the direction to the trial Court to grant exemption to the petitioner on the aforesaid condition on filing an application under Section 205 Cr. P.C. Disposed of with aforesaid direction.

A photocopy of this order be placed on the connected file.

(ARVIND SINGH SANGWAN)
JUDGE

27.10.2017
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Counsel for the petitioners restricts his arguments in view of the aforesaid order.

This petition is also disposed of, with the abovesaid directions. However, it will be open for the petitioners to raise all the pleas/defence before the trial Court during pendency of the trial.

[ARVIND SINGH SANGWAN]
JUDGE

08.11.2017
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No