

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

CRL. MISC. No.M-44089 OF 2017 (O&M)
DATE OF DECISION : 20th NOVEMBER, 2017

Gurcharan Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. P.B.S. Goraya, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

Heard learned counsel for the rival parties.

Learned counsel for the petitioner submits that the petitioner is aged about 82 years and is permanent resident of Canada.

In my opinion, instead of entertaining plea of quashment of FIR, liberty for filing application for discharge before the trial should be granted to the petitioner. Accordingly, liberty is reserved in favour of the petitioner to apply for discharge before the trial Court. The trial court shall consider dispose of the same by passing reasoned order.

Since the petitioner is a permanent resident of Canada, it would be appropriate to allow his exemption and appearance through his power of attorney i.e. his son and through his advocate till the plea for discharge is decided.

In view of the above, the trial Court shall allow the petitioner to act accordingly till the stage of discharge/framing of charge, as the case may be.

The petition stands disposed of with direction as above.

20th NOVEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No