

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

**CRM-M No.1088 of 2018
Decided on: 04.07.2018**

Anuj Goel and another

....Petitioners

Versus

Pawan Kumar Tayal

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Abhishek Singla, Advocate
for Mr. Keshav Pratap Singh, Advocate
for the petitioners.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for quashing of criminal complaint No.38 dated 22.07.2016 titled as Pawan Tayal vs K.D.P. Infrastructure Private Limited, etc., filed under Sections 138 and 142 of the Negotiable Instruments Act read with Section 420 of the Indian Penal Code and the summoning order dated 23.09.2016 as well as all the subsequent proceedings arising therefrom.

Learned counsel for the petitioners, at the very outset, has submitted that he may be permitted to withdraw the present petition with liberty to the petitioners to move an application for discharge along with all the supporting documents and personal appearance of the petitioners before the trial Court may be exempted permanently during pendency of the trial.

After hearing learned counsel for the petitioners, this petition is disposed of, by granting exemption from personal appearance to the petitioners before the trial Court subject to the

following conditions: -

- (i) they will be represented by a counsel;*
- (ii) they will not delay/stall the proceedings of the trial Court;*
- (iii) they will not dispute their identity as accused;*
- (iv) they will have no objection if the prosecution evidence is recorded in their absence but in presence of their counsel;*
- (v) they will appear before the trial Court as and when required by the trial Court and any other condition which the trial Court may impose.*

In case the petitioners file an application for discharge within a period of 15 days from today, the trial Court will decide the same expeditiously in accordance with law, preferably within a period of three months from the date of receipt of certified copy of this order.

Disposed of, accordingly.

04.07.2018
yakub

(ARVIND SINGH SANGWAN)
JUDGE

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