

127-3

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

CRM-M No.9488 of 2018

Date of decision: 23.05.2018

M/s. Kew Precision Parts Private Limited and others

....Petitioners

Versus

M/s Mahadev Forge Private Limited

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jagdish Manchanda, Advocate
for the petitioners.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for quashing of criminal complaint No.443/1/14/487 dated 24.09.2014/29.02.2016 (Annexure P1) filed under Section 138 of the Negotiable Instruments Act as well as the summoning order dated 28.11.2014 (Annexure P2) and all other subsequent proceedings arising therefrom.

Learned counsel for the petitioners, at the very outset, submits 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After hearing learned counsel for the petitioners, this petition is ordered to be dismissed as withdrawn, by granting exemption to the petitioners from personal appearance before the trial Court subject to the following conditions: -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 03 months from the date of receipt of certified copy of this order.

(ARVIND SINGH SANGWAN)
JUDGE

23.05.2018

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No