

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

**CRM-M No.8975 of 2019 (O&M)
Date of Decision: 27.02.2019**

Surjit Singh

.....Petitioner

Versus

Jasbir Singh,
Proprietor of M/s Jasbir Singh & Sons and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. P.S.Khurana, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of Complaint bearing No.COMA 14467 dated 20.10.2018 (P-1), under Section 138 of the Negotiable Instruments Act, 1881 as well as summoning order dated 17.11.2018 (P-2), passed by learned Judicial Magistrate 1st Class, Ludhiana along with all consequential proceedings arising therefrom.

After arguing for sometime, learned Counsel for the petitioner wishes to withdraw the present petition and confined his prayer only up to the extent of seeking exemption from personal appearance of the petitioner before learned trial Court.

Prayer seems to be justified and accepted.

Consequently, the present petition is dismissed as withdrawn with liberty to the petitioner to appear through Counsel before learned trial Court, but it is made clear that in case any adverse order is passed against him, then

he shall not raise any grievance against the same, subject to the following conditions:-

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

The petitioner would be at liberty to raise all the pleas before learned trial Court at the appropriate stage.

February 27, 2019
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No