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

CRM-M-41790-2021

Date of decision : 06.10.2021

H.B. Shiva Ram

...Petitioner

Versus

Dr. Ramesh Chand Bansal

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vikas Mehsempuri, Advocate for the petitioner.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of complaint dated 18.05.2013 (Annexure P-1) and summoning order dated 09.01.2019 (Annexure P-4).

Learned counsel for the petitioner seeks permission of this Court to withdraw the present petition with liberty to take all the points as raised in the present petition before the trial Court.

Learned counsel for the petitioner has further prayed that the petitioner is an old person aged about 62 years and is suffering from old age health issues. He is residing in Bangalore and the case is pending at Patiala and he is a retired person, thus, his personal appearance before the trial Court may kindly be exempted.

Learned counsel for the petitioner has further submitted that on the material dates i.e. when the evidence is to be recorded or at the time of

framing of the charges etc., he would be present.

In view of the above, the present petition is dismissed as withdrawn with liberty to the petitioner to take all the points as raised in the present petition before the trial Court.

However, keeping in view the facts that the petitioner is 62 years of age and is residing in Bangalore and the trial is taking place in Patiala and is a retired person having old age health issues, the personal appearance of the petitioner before the trial Court is exempted, subject to the following conditions:-

- i) Petitioner shall be represented through his/her counsel;
- ii) shall not delay/stall the trial proceedings;
- iii) shall not dispute his identity as accused;
- iv) on the material dates i.e. when evidence is to be recorded or at the time of framing of the charges etc., the petitioner would present himself;
- v) shall appear before the trial Court as and when required by the trial Court;
- vi) any other condition which the learned trial Court may impose.

06.10.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No