

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

CRM-M-5205-2022 (O&M)

Date of Decision: 27.10.2022

Sukhdev Singh and others

..... Petitioners

Versus

Taranjit Kaur

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Navjot Singh, Advocate, for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

The petitioner has approached this Court praying for quashing of complaint No.29, dated 11.7.2018, filed under Sections 307, 354-B, 323, 324, 506 and 120-B IPC, as well as summoning order dated 22.3.2021, whereby the petitioners had been summoned under Sections 323, 354, 34 IPC and all the consequential proceedings arising therefrom.

After arguing at length, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to raise all the pleas before the trial Court at the relevant time. Learned counsel for the petitioners submits that inadvertently the age of petitioner No.1 has been mentioned as 23 years in the memo of parties, whereas, he is 74 years old, which is clear from the copy of the medical record as well as Aadhar card placed on file. He has prayed that petitioner No.1 being an old man is suffering from many diseases and as such his personal appearance during the trial before the trial Court may kindly be exempted.

In view of the above, the present petition is dismissed as withdrawn with liberty as prayed for.

Taking into consideration the medical condition of petitioner No.1 as pointed out by learned counsel for the petitioners, it is directed that in case

petitioner No.1 files an application for exemption from his personal appearance during trial before the trial Court alongwith the relevant documents, the trial Court is directed to consider the same sympathetically. The trial Court is free to impose any condition in case it allows the said application.

(RAJESH BHARDWAJ)
JUDGE

27.10.2022

sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No