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

CRM-M-6521-2022

Date of decision : 18.02.2022

Bharpur Dass Chela Sant Baba Labh Dass Dera Malkana, Samadh Baba
Labh Dass Rattan Dass

...Petitioner

Versus

Krishan Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Aman Dhir, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.
(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of Criminal Complaint bearing Complaint IPC No.696 of 2019, CIS No.COMI/46/2019, dated 02.05.2019 titled as Krishan Singh Vs. Bharpur Dass and another, under Sections 323, 342, 506, 504, 294, 120-B, 34 of the Indian Penal Code, 1860 at Police Station Raman, District Bathinda (Annexure P-4) as well as summoning order dated 03.12.2021 passed by the Judicial Magistrate Ist Class, Talwandi Sabo (Annexure P-5) alongwith all the subsequent proceedings arising therefrom.

After arguing for sometime, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition with liberty

to the petitioner to take up all the points as raised in the present petition and available to him, at the relevant stage before the trial Court.

In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.

Learned counsel for the petitioner has further made a prayer that the petitioner is 66 years old person and there is already a civil suit pending between the mother of the complainant and Dera Malkana Samadh Baba Labh Dass Rattan Dass through the present petitioner and thus, prays that personal appearance of the petitioner before the trial Court may kindly be exempted.

Keeping in view the abovesaid facts as stated by learned counsel for the petitioner and the fact that petitioner is 66 years old person, the personal appearance of the petitioner before the trial Court is exempted, subject to the following conditions:-

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

18.02.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No