

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(129)

CRM-M-8839-2022

Date of decision: - 19.09.2022

Vijay Nain

....Petitioner

Versus

State of Haryana and another

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. R.S. Malik, Advocate
for the petitioner.

VIKAS BAHL, J. (ORAL)

Present petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.213 dated 05.11.2020 (Annexure P-1), under Sections 120-B, 201, 304, 328, 420, 308, 468 and 471 IPC and Section 61/72A/72B of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020), registered at Police Station Sanoli, Panipat and all the subsequent proceedings arising therefrom.

Learned counsel for the petitioner, after arguing for some time, 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In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.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 a math teacher and he is a resident of District Sonipat, whereas the proceedings are at District Panipat and thus, prays that his personal appearance before the trial Court may kindly be exempted.

Keeping in view the abovesaid facts as stated by learned counsel for the petitioner, 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 and will never raise a plea either before the trial Court or in appeals/revisions etc. that the prosecution evidence has been recorded in his absence or the proceedings have been conducted in his absence;
- 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.

September 19, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No