

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(123)

CRM-M-21834-2022

Date of decision: - 21.07.2022

Ashwani Kanodia and another

....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Mamta Malik Rewar, Advocate
for the petitioners.

Mr. Munish Sharma, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

Present petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.1036 dated 26.09.2016, registered under Sections 6 and 7 of the Punjab Scheduled Roads and Controlled Area Restriction of Unregulated Development Act, 1963, at Police Station Chandanbagh, District Panipat as well as the final report/charge sheet No.01 dated 01.02.2018.

After arguing for sometime, learned counsel for the petitioners seeks permission of this Court to withdraw the present petition with liberty to the petitioners to take up all the points as raised in the present petition and available to them, 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In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.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 petitioners has further made a prayer that petitioner No.2 is a lady and she is resident of Delhi whereas the proceedings are going on in District Panipat and she has to look after her own family and thus, prays that her personal appearance before the trial Court may kindly be exempted.

Keeping in view the abovesaid facts as stated by learned counsel for the petitioners, the personal appearance of petitioner No.2 before the trial Court is exempted, subject to the following conditions:-

- i) Petitioner No.2 shall be represented through her 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 her absence, but in the presence of her 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 her absence or the proceedings have been conducted in her 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.

July 21, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No