

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-25459-2022
Date of decision : 12.07.2022

Hemant Yadav

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Jagjot Singh Lalli, Advocate
for the petitioner.

Mr.R.S.Khaira, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of DDR no.36 dated 01.08.2021 registered under Sections 323, 324, 148, 149 IPC at Police Station Cantt. Jalandhar, Police Commissionerate, Jalandhar i.e. the cross version recorded in FIR no.87 dated 01.08.2021 registered under Sections 323, 324, 354, 34 IPC (Section 354 IPC deleted later on) at Police Station Cantt. Jalandhar, police Commissionerate, Jalandhar and all consequent proceedings arising therefrom.

Learned counsel for the petitioner, after arguing for some time, seeks to withdraw the present petition with liberty to take up all the points which have been raised in the present petition, during the course of trial at the appropriate stage.

Learned counsel for the petitioner has prayed that the personal appearance of the petitioner may be exempted before the trial Court and has

submitted that as per the FIR, no specific injury has been attributed to him and he is not the family member of either of the two parties. Learned counsel for the petitioner has further submitted that the petitioner would comply with all the orders passed by the trial Court subject to legal remedies available with the petitioner.

In view of the above, the present petition is dismissed as withdrawn with the aforesaid liberty.

In the meantime, 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 learned trial Court may impose.*

(VIKAS BAHL)
JUDGE

July 12, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No