

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(124)

CRM-M-23225-2022

Date of decision: - 08.09.2022

Major Singh and others

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Jagwinder Kaur, Advocate,
for the petitioners.

VIKAS BAHL, J. (ORAL)

Present petition has been filed under Section 482 of Cr.P.C. for quashing of impugned order dated 16.09.2021 (P-1), passed by the Judicial Magistrate 1st Class, Rajpura in case FIR No.07 dated 13.01.2018, registered under Section 341, 323, 506 and 34 IPC (Section 452 IPC has been added later on), at Police Station Shambu, Patiala, vide which the charge under Section 452 IPC has been added and also for setting aside the order dated 11.05.2022 by which the revision petition filed by the petitioners has been dismissed.

Learned counsel for the petitioners, after arguing for sometime, 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In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.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 submitted that petitioner No.3 is a student and petitioner No.1 is the sole bread winner of the family and thus, prays that their 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 petitioners No.1 and 3 before the trial Court is exempted, subject to the following conditions:-

- i) Petitioners No.1 and 3 shall be represented through their 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 their absence, but in the presence of their 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 their absence or the proceedings have been conducted in their 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 08, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No