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

CRM-M-27613-2021 (O&M)
Date of decision : 16.03.2022

Narender Parkash Garg and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Kunal Vinayak, Advocate and
Mr. Brij Mohan Vinayak, Advocate for the petitioners.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.385 dated 19.07.2018 registered under Sections 323, 452, 506, 34 of the Indian Penal Code, 1860 (Section 325 of IPC has been added later on) at Police Station Shahabad, Kurukshetra, Haryana and all the consequential proceedings arising therefrom.

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withdrawn with liberty aforesaid.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 working in Bangalore, Karnatka whereas the trial of the case is going on in Shahabad, Kurukshetra (Haryana), and thus, prays that his personal appearance before the trial Court may kindly be exempted.

In view of the abovesaid prayer made by learned counsel for the petitioners that petitioner No.2 is working in Bangalore, Karnatka whereas the trial of the case is going on in Shahabad, Kurukshetra (Haryana) thus, 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 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.

All the pending miscellaneous applications, if any, stand disposed of in view of the abovesaid order.

16.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No