

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

144

CRM-M-33433-2022
Decided on : 01.08.2022

Hardeep Singh Fauji and another

. . . Petitioners

Versus

State of Punjab and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. L. S. Sidhu, Advocate
for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. For setting aside the order dated 31.08.2021 passed by the Judicial Magistrate, 1st Class, Moga for summoning the petitioners as additional accused in FIR No. 61 dated 02.04.2017 under Sections 324, 326, 323 and 34 of the Indian Penal Code, 1860 registered at Police Station Dharamkot, District Moga and also the order dated 12.01.2022 passed by the Additional Sessions Judge, Moga whereby the revision petition filed by the petitioners has been dismissed.

Learned counsel for the petitioners, 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.

Learned counsel for the petitioners, has however prayed that the personal appearance of the petitioners may be exempted. It is submitted that the petitioner No. 1 is 75 years of age and petitioner No. 2 is involved in his own business of petrol pump and is the sole bread winner of his family.

In view of the above, present petition is dismissed as withdrawn.

Personal appearance of the petitioners before the trial Court is exempted, subject to the following conditions:-

- i) Petitioner 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;*
- 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

01.08.2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No