

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-37364-2021
Date of decision : 25.07.2022

Kapil Kumar and others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Diwan S. Adlakha, Advocate
for the petitioner.

Mr.Anmol Malik, DAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of FIR no.0008 dated 08.01.2021 registered under Sections 148, 149, 323, 506 IPC at Police Station Chhapar, District Yamuna Nagar and all consequent proceedings arising therefrom.

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 at the appropriate stage.

Learned counsel for the petitioners has prayed that petitioner no.1 is a government employee and a lecturer of biology and is employed in the Department of Education, Government of Haryana, and is presently working at GMSSS, Saraswati Nagar, Yamunanagar. It is further submitted that the petitioners no.2 and 3 are old persons, of 72 years and 63 years

respectively and has prayed that the personal appearance of the petitioners no.1 to 3 may be exempted before the trial Court. Learned counsel for the petitioners has further submitted that petitioners no.1 to 3 would comply with all the orders passed by the trial Court subject to legal remedies available with petitioners no.1 to 3.

In view of the above, the present petition is dismissed as withdrawn with the aforesaid liberty.

In the meantime, the personal appearance of petitioner nos.1 to 3 before the trial Court is exempted, subject to the following conditions:-

- i) Petitioner nos.1 to 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;*
- 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 25, 2022
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No