

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-34356-2022
Decided on : 04.08.2022

Malkit Singh and others

. . . Petitioners

Versus

Harinderpal Singh

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. S. P. Soi, Advocate
for the petitioners.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of the complaint numbered as COMI-2-2020 dated 27.01.2020 under Sections 323, 324, 342, 427, 504, 506, 148 and 149 of the Indian Penal Code, 1860 including the summoning order dated 21.05.2022 passed by the Court of Judicial Magistrate 1st Class, Nakodar under Sections 323, 427, 148 and 149 of the Indian Penal Code, 1860 (Annexure P-4).

Learned counsel for the petitioners 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 submitted that petitioners No. 1, 8 and 9 are old persons aged about 58 years, 65 years and 54 years respectively and their personal appearance be exempted.

In view of the above, present petition is dismissed as withdrawn with the aforesaid liberty.

In the meantime, the personal appearance of petitioners No. 1, 8 and 9 before the trial Court is exempted, subject to the following conditions:-

- i) Petitioners No. 1, 8 and 9 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

04.08.2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No