

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(121)

CRM-M-45775-2022

Date of decision: - 30.09.2022

Ashok Kumar @ Ashok Bhateja and others

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Gurjinder Singh Thind, Advocate
for the petitioners.

VIKAS BAHL, J. (ORAL)

Present petition has been filed under Section 482 of Cr.P.C.
for issuance of a direction to the trial Court to conclude the trial in FIR
No.196 dated 09.12.2016, registered under Sections 420 and 120-B IPC,
at Police Station Beas, District Amritsar Rural.

Learned counsel for the petitioners, after arguing for some
time, seeks permission of this Court to withdraw the present petition.

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withdrawn.

Learned counsel for the petitioners has submitted that
petitioner No.1 is a heart patient and his bypass surgery has already been
performed and petitioner No.2, who is his wife and is 53 years old, needs
to take care of petitioner No.1 and thus, prays that the personal

appearance of petitioners No.1 and 2 before the trial Court may kindly be exempted. It is submitted that the petitioners are on bail and they were regularly appearing in the trial Court.

Keeping in view the abovesaid facts as stated by learned counsel for the petitioners, the personal appearance of petitioners No.1 and 2 before the trial Court is exempted, subject to the following conditions:-

- i) Petitioners No.1 and 2 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 his 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 30, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No