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

CRM-M-2975-2023

Date of Decision: January 19, 2023

Akhilesh Paul and others

.....Petitioners

Versus

The State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.C.S.Bakhshi, Advocate
for the petitioners.

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RAJESH BHARDWAJ, J.(ORAL)

Instant petition has been filed under Sections 482 and 483 Cr.P.C. praying for giving directions to learned trial Court for deciding the applications filed by the petitioners under Sections 239 Cr.P.C. seeking discharge and under Section 205 Cr.P.C. praying for granting exemption to the petitioners from appearance before the trial Court.

It has been contended by counsel for the petitioners that petitioners belong to Lucknow and other three accused are from Jharkhand, New Delhi and Uttar Pradesh. Counsel for the petitioners has fairly submitted that petitioners are aggrieved by the observation of trial Court that arguments on the pending applications would be heard after presence of all the accused. He submits that as the other accused belong to different States, the observations made are too harsh as presence of rest of the accused cannot be a ground for not hearing the applications filed by the petitioners who are duly appearing before the trial Court.

Notice of motion.

On the asking of the Court, Mr.B.S.Virk, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent/State.

After hearing counsel for the parties and perusing the record, this Court finds it appropriate to direct the learned trial Court to decide the applications filed by the petitioners irrespective of presence of all the other accused, who are not appearing. It is stated that case is said to have been adjourned to 27.01.2023.

In the facts and circumstances of the present case, the present petition is disposed of with a direction to learned trial Court to hear the grievances of the petitioners independently irrespective of presence of rest of the accused, in accordance with law.

January 19, 2023
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(**RAJESH BHARDWAJ**)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |