

CRM-M-1119-2024
Date of decision: 08.08.2024

...PETITIONERS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

Present: Mr. R.S. Dhaliwal, Advocate for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Arnav Sood, Advocate for respondent No.2.

1. This is the second petition filed under Section 482 Cr.P.C. for quashing of impugned order dated 16.02.2023 (Annexure P-1) passed by learned trial Court and order dated 02.11.2023 (Annexure P-2) passed by learned Revisional Court in case FIR No.68 dated 09.05.2022 registered under sections 406, 498-A IPC at Police Station Sadar, Hoshiarpur.

2. Status report dated 07.08.2024 filed by way of an affidavit of Amar Nath, PPS, Deputy Superintendent of Police, Sub Division City, District Hoshiarpur on behalf of respondent No.1-State has been filed and the same is taken on record.

3. Learned counsel for the petitioners wishes to withdraw the present petition and seeks liberty to raise all the pleas taken in the present petition, at the appropriate stage, during the course of trial and confines his prayer to the extent that the petitioners are resident of District Jalandhar, whereas the trial of the case is progressing at District Hoshiarpur and attending the trial on each

and every date would cause great inconvenience and hardship to them.

4. The instant petition is dismissed as withdrawn with the liberty as prayed for. However, in view of the ratio laid down by this Court in *CRM-M-25963-2023* titled as ‘Suresh Kumar and another Vs. The State of Haryana and another’ 2023 (2) Law Herald 1498, the personal appearance of the petitioners before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioners 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; and
- vi) any other condition, which the trial Court may impose.

August 08, 2024
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(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |