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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21862-2023 (O&M)
Date of decision: 23.07.2024

Vishal

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sarabjit Singh, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. Tanveer Singh, Advocate for
Mr. Rahul Bhargava, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

CRM-28680-2024

1. Present application has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') for placing on record rejoinder on behalf of the petitioner to the reply dated 06.12.2023 filed on behalf of respondent No.2.
2. In view of the averments made in the application, same is allowed and rejoinder on behalf of the petitioner to the reply dated 06.12.2023 filed on



behalf of respondent No.2, along with Annexure P-14, is taken on record subject to all just exceptions.

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3. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.22 dated 27.05.2022 under Sections 376 & 201 of IPC, registered at Police Station Women Cell, District Amritsar and the subsequent proceedings initiated thereupon.

4. Learned counsel for the petitioner wishes to withdraw the present petition with liberty to raise all the pleas taken in the present petition before the learned trial Court at appropriate stage. However, he confines his prayer to the extent that the petitioner is a young person 28 years of age and he is a Govt. employee and attending trial on each and every date would cause great inconvenience and hardship to him and prays that personal appearance of the petitioner before learned trial Court may be exempted.

5. In view of the above, instant petition is dismissed as withdrawn with the liberty aforesaid. 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***, personal appearance of the petitioner before learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioner shall be represented through his counsel;*
- ii) shall not delay/stall the trial proceedings;*
- iii) shall not dispute his identity as accused;*

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iv) shall have no objection if the prosecution evidence is recorded in his absence but in the presence of his counsel;
v) shall appear before the trial Court as and when required; and
vi) any other condition, which the trial Court may impose.

6. The personal appearance of the petitioner shall also remain exempted even after framing of charges.
7. All the pending miscellaneous application(s), if any, shall also stand disposed of.

[HARPREET SINGH BRAR]
JUDGE

23.07.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No