

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

126

CRM-M-24079-2024
Date of Decision: 14.05.2024

Bose Balakrishnam @ Bose B.

....Petitioner

Versus

Religare Finvest Limited

....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Munish Mittal, Advocate
for the petitioner.

ANOOP CHITKARA, J.

Criminal Complaint	No. NACT/19132/2019 under Section 138 of the Negotiable Instruments Act, 1881, District Gurgaon
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Seeking quashing of complaint mentioned above along with all consequential proceedings arising therefrom including summoning order dated 17.03.2020 (Annexure P-6), petitioner has come up before this Court by filing the present petition under Section 482 CrPC.

2. After arguing for some, counsel for the petitioner submits that he wants to withdraw the present petitioner but he submits that he would be contended and satisfied if the petitioner is exempted from personal appearance from the trial Court being his old age i.e. 78 years. He further submits that he would not claim any prejudice in case witnesses are examined in his absence or proceeding recorded in his counsel's presence.

3. Given the statement of counsel for the petitioner, the petitioner is exempted from personal appearance before the trial Court and is permitted to appear through counsel on all dates except the date when the trial Court wants his personal appearance and at the time of pronouncement of final judgment. In case, trial Court wants personal appearance of the petitioner, the trial Court shall grant him enough time to appear, considering the distance from the place where he belongs. It is clarified that the petitioner-accused shall not claim any prejudice in this regard in any Court. It is further clarified that the petitioner shall not take any adjournment before the trial Court except of exceptional circumstances and his counsel shall appear on each and every date. It is also clarified that if the petitioner fails to appear through his counsel, this order shall stand recalled automatically under Section 362 r/w 482 CrPC without any further reference to this Court.

4. Petition is disposed of with the aforesaid observations. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

14.05.2024
Anju rani

Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no