

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

Date of decision: 17.05.2024

....Petitioner

Versus

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Mr. Subhash Godara, Addl.A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.106 dated 12.05.2023 under Sections 3/4/5/6/7 of Immoral Traffic (Prevention) Act, 1956 registered at Police Station City Moga, District Moga (Annexure P-1) *qua* the petitioner.

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 during the course of trial. However, he confines his prayer to the extent that the petitioner is presently studying in Canada and attending trial on each and every date would cause great hardship and inconvenience to him as well as hamper his studies and affect his career.

The instant petition is dismissed as withdrawn with the liberty aforesaid. In view of the prayer made by learned counsel for the petitioner, the learned trial Court is directed to decide the application, if any, filed for seeking permanent exemption from appearance of the petitioner strictly in accordance



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with law 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 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;
- 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.

(HARPREET SINGH BRAR)
JUDGE

17.05.2024

Neha

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No