



**212-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-9237-2018 (O & M)
Date of decision: 23.05.2024**

DIDAR SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashwani Kumar Dhingra, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

HARPREET SINGH BRAR J. (ORAL)

1. Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.6 dated 12.04.2017 registered under Sections 420/406/494/511 IPC at Police Station NRI, District Police Commissionerate Ludhiana, District Ludhiana (Annexure P-1) and all the subsequent proceedings arising therefrom.
2. At the very outset, learned State counsel submits that trial of the case has made substantial progress as out of 18 witnesses cited by the prosecution, 09 have already been examined.
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, before the learned trial Court, at the appropriate stage during the course of trial. However, he confines his prayer to the extent that petitioners are resident of Ferozepur, whereas the trial of the FIR (supra) is proceeding at Ludhiana and attending the trial at 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 The instant petition is dismissed as withdrawn with the liberty as prayed for.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.

May 23, 2024
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(HARPREET SINGH BRAR)
JUDGE

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