

226

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32763-2022
Date of decision: 27.11.2024

JASMINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Daman Jeet Bhoriwal, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Sanjeev Sharma, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.32 dated 07.10.2020 under Sections 498-A/406 of Indian penal Code registered at Police Station Women, District Bathinda (Annexure P-6) and all the subsequent proceedings arising therefrom.
2. Learned counsel for the petitioner 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 till date, the trial has not even reached half way mark as the prosecution has examined only 04 witnesses and the petitioner is serving in Punjab police and is posted in Ludhiana, whereas the trial of the FIR (supra) is proceeding at District Bathinda and attending the trial on each and every date would cause great inconvenience and hardship to him.

3. The instant petition is dismissed as withdrawn with the liberty as prayed for.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 petitioner before the 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;
- 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.

November 27, 2024
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(HARPREET SINGH BRAR)
JUDGE

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