



CRM-M-33196-2024

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

CRM-M-33196-2024

Date of Decision: 16.07.2024

Joginder Chopra and another

..... Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.L.M.Gulati, Advocate,
for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the impugned order dated 05.06.2024 (Annexure P-3) passed by learned JMIC, SAS Nagar, Mohali in case titled as Jaswinder Singh vs. Sukhwinder Singh @ Bobby, in a case FIR No.06, dated 24.05.2017 under Sections 65, 66 and 72 of IT Act and Section 103 and 104 of the Trade Mark Act at Police Station Punjab State Cyber Crime Police, SAS Nagar, Mohali, vide which the petitioners were summoned wrongly and illegally during the course of recording statements of Sukhwinder Singh @ Bobby.

2. After arguing for some time, learned counsel for the petitioners prays for withdrawal of the present petition with liberty to the petitioners to avail their remedy as available to them under law. He further submits that petitioner No.1 is 82 years of age and is suffering from age related diseases and he is ready to appear before the trial Court, however, taking into consideration his age and health condition, he may be granted exemption from his personal appearance before the trial Court.

3. The petitioners are allowed to withdraw the present petition.

4. Dismissed as withdrawn as prayed for. If petitioner No.1 files

an application for exemption from his personal appearance before the trial Court, then the trial Court is directed to consider the same and grant him exemption from personal appearance during trial subject to his filing affidavit to the following effect:-

1. That he will have no objection if the statements of witnesses are recorded in his absence but in the presence of his counsel.
2. That he will appear before the trial Court as & when required to do so by it.
3. That he will abide by any other condition imposed by the trial Court while granting him exemption from personal appearance.

16.07.2024

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(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned :

Whether Reportable :

Yes/No

Yes/No