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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37987-2024 (O&M)
Date of decision: 06.08.2024

Vishal Kakkar and another

... Petitioners

Vs.

State of Punjab and another

... Respondents

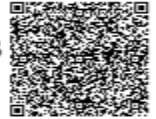
CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. S.K. Arya, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.76 dated 08.08.2019 under Sections 354, 341, 34 of IPC, registered at Police Station Division D, District Amritsar and the subsequent proceedings initiated thereupon.
2. Learned counsel for the petitioners 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. However, he confines his prayer to the extent that personal appearance of the petitioners before learned trial Court may be exempted, as attending trial on each and every date would cause great inconvenience and hardship to them.

2024:PHHC:100453



3. In view of the above, instant petition is dismissed as withdrawn with the liberty aforesaid. 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***, personal appearance of the petitioners before learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioners will be represented through their counsel;*
- ii) will not delay/stall the trial proceedings;*
- iii) will not dispute their identity as accused;*
- iv) will have no objection if the prosecution evidence is recorded in their absence but in the presence of their counsel;*
- v) will appear before the trial Court as and when required; and*
- vi) any other condition, which the trial Court may impose.*

06.08.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No