

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.64602 of 2023 (O&M)

Date of Decision:15.01.2024

Sanchit Alagh

... Petitioner

Versus

State of UT Chandigarh

... Respondent

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Shikhar Kataria, Advocate with
Mr. Ashutosh Dhankar, Advocate
for the petitioner.

Mr. Amit Kumar Goyal, APP, U.T., Chandigarh.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for issuance of direction to the learned trial Court to expedite the matter and conduct proceedings in a time bound manner in FIR No.124 dated 24.04.2018 registered under Sections 420, 406, 409, 201, 204, 467, 468, 471, 120-B IPC, Section 66 of the IT Act and Sections 3, 4 and 5 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978 at Police Station Sector 17 Central, Chandigarh.
2. After arguing for some time, learned counsel appearing for the petitioner seeks to withdraw the instant petition, however, confines his prayer to the extent that exemption from personal appearance before the trial Court may be granted to the petitioner on the ground that he is resident of Delhi and the trial is proceeding at Chandigarh for the last five years but there is no substantial progress, which is causing great hardship and inconvenience to him.
3. Notice of motion.

4. Mr. Amit Kumar Goyal, APP, U.T., Chandigarh, who is present in Court, accepts notice for the respondent.

5. The instant petition is dismissed as withdrawn. However, keeping in view the facts and circumstances of the case especially the fact that the FIR was registered on 24.04.2018 and trial of the case has not made substantial progress and in view of the ratio laid down by this Court in CRM-M No.25963 of 2023 titled as *Suresh Kumar and another Vs. The State of Haryana and another 2023 (2) Law Herald 1498*, 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 their 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

January 15, 2024

Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No