



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

CRM-M-5164-2025

Date of Decision: 30.01.2025

Ajit Kumar @ Ajit Sharma and another

..... Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Vishal Munjal, Advocate, for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for quashing of the FIR No.82 dated 10.06.2023, registered under Sections 324, 341, 323, 34, 201 IPC, at Police Station Division No.2, District Pathankot and all the subsequent proceedings arising therefrom including challan under Section 173 Cr.P.C.

After arguing for some time, learned counsel for the petitioners prays for withdrawal of the present petition with liberty to the petitioners to avail alternative remedy as available to them under law. However, he submits that personal appearance of petitioner No.2 be exempted before the trial Court.

Allowed to do so.

Dismissed as withdrawn with liberty as prayed for. In case petitioner No.2 files an application for exemption from his personal appearance before the trial Court, the trial Court is directed to consider the same sympathetically and in case it allows the same, then 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.

30.01.2025

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No