



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

CRM-M-14185-2025
Date of decision: 17.03.2025

KULDEEP SINGH AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sunil Agnihotri, Advocate for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in the present petition filed under Section 528 BNSS, 2023 is for quashing of FIR No.0165 dated 04.08.2024 (Annexure P-1) registered under Sections 323/325/34 IPC at Police Station Dasuya, District Hoshiarpur and all the subsequent proceedings arising therefrom including final report under Section 173 Cr.P.C. (Annexure P-2).

2. Learned counsel for the petitioners 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 personal appearance of petitioner No.1 may be exempted as he is a government teacher 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 The instant petition is dismissed as withdrawn with the liberty as prayed for.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**



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and another' 2023 (2) Law Herald 1498, the personal appearance of petitioner No.1 before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioner No.1 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.

March 17, 2025
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(HARPREET SINGH BRAR)
JUDGE

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