



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

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CRM-M No.58261 of 2023

Date of decision: 28.01.2025

Arpit Singh Parihar

....Petitioner

Versus

State of UT Chandigarh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Deepak Jaglan, Advocate
for the petitioner.

Mr. T.V.S. Lehal, APP, UT, Chandigarh.

HARPREET SINGH BRAR J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C., is for quashing the FIR No.47 dated 23.04.2023 registered under Sections 279 and 427 IPC and Section 185 of the Motor Vehicles Act, 1985, at Police Station South Sector 34, Chandigarh (UT) (Annexure P-1) including challan dated 04.10.2023 (Annexure P-3) and all other subsequent proceedings arising therefrom.

Learned counsel for the petitioner 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 of seeking exemption of the petitioner from personal appearance before the learned trial Court as the petitioner is 27 years of age and presently employed in a company at Mohali, therefore, attending trial on each and every date would cause great hardship and inconvenience to him as well as affect his livelihood.

2025:PHHC:012599



The instant petition is dismissed as withdrawn with the liberty aforesaid.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, the 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 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.

(HARPREET SINGH BRAR)
JUDGE

28.01.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No