



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

CRM-M-14670-2025
Date of decision: 28.04.2025

DINESHWAR SINGH @ DINESH SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Munish Puri, Advocate for the petitioner.

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

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in the present petition filed under Section 528 of BNSS, 2023 is for quashing of FIR bearing No.0093 dated 25.08.2024 registered under Section 117(2), 115(2), 3(5) of BNS, 2023 at Police Station Sadar Pathankot, District Pathankot.
2. Learned counsel for the petitioner 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 petitioner is serving as Nayak in the Indian Army and attending the trial on each and every date would cause great inconvenience and hardship to him as it would compel him to travel a long distance to appear before the trial Court.
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 The instant petition is dismissed as withdrawn with the liberty as prayed for.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-**



CRM-M-14670-2025

-2-

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.

April 28, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

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