

232-3

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

CRM-M-4773 of 2014

Date of decision: September 22, 2015

Mahendra Kesari

.....Petitioner

Versus

Nitin Sharma

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. P.K. Kataria, Advocate
for the petitioner.

Mr. Raman Devgan, Advocate
for respondent.

SABINA, J

Learned counsel for petitioner has submitted that he may be permitted to withdraw the petition to enable the petitioner to take up all the pleas available to him during trial, before the trial Court.

Dismissed as withdrawn.

However, personal appearance of the petitioner, before the trial Court, during trial, shall remain exempted subject to the following conditions:-

- i. Petitioner shall be represented through 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 by the Trial Court;
- vi. any other condition which the learned trial Court may impose.

**(SABINA)
JUDGE**

September 22, 2015
mahavir