

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

Criminal Revision No. 99 of 2014(O&M)

Date of decision: 28.10.2015

Joga Singh

-----Petitioner (s)

V/s

State of Punjab and another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Manbir Singh Basra, Advocate for the petitioner

Mr. P.S. Madahar, AAG, Punjab for respondent
No.1.

Mr. N.S. Sidhu, Advocate for respondent No.2.

HARI PAL VERMA, J.(Oral)

Challenge in the present criminal revision petition is to the order dated 15.10.2013 passed by learned Addl. Sessions Judge, Gurdaspur, whereby the application filed under Section 319 Cr.P.C. for summoning the petitioner has been allowed and the petitioner has been summoned as an additional accused to face trial of offence punishable under Section 304-B IPC in FIR No.20, dated 05.03.2012, registered at Police Station, Dera Baba Nanak, District Gurdaspur.

Learned counsel for the petitioner submits that the petitioner is brother-in-law(jeth) of the deceased and he holds a separate *ration card* and is living separately. There is no specific allegation against the petitioner regarding beating and forcibly administering poison to deceased Amandeep Kaur.

Learned counsel for the State on instructions from concerned Officer submits that in the case in hand, as many as 10 witnesses have already been examined. However, as regard the petitioner two witnesses have deposed against him. He further submits that since the trial qua the petitioner was stayed, no further witness was examined.

Learned counsel for the petitioner, while responding to the above, wishes to withdraw the present petition, however, prays that personal appearance of the petitioner before the trial Court may be exempted as he is living separately.

Taking into consideration the prayer put forth by the learned counsel for the petitioner and without expressing any opinion on the merits of the case, present petition is dismissed as withdrawn.

On moving application by the petitioner before the trial Court seeking exemption from personal appearance, same shall be allowed by the trial Court, subject to furnishing following undertakings:-

- (i) that his advocate shall appear on his behalf on each and every date of hearing and the evidence recorded in his absence would be acceptable to him;
- (ii) that undertaking of his counsel to appear on each date of hearing to defend his case;
- (iii) that he will not dispute his identity and will appear before the trial Court as and when directed by the Court.

October 28, 2015

Anjal

**(HARI PAL VERMA)
JUDGE**