

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

CRL. REVISION No.3972 OF 2016
DATE OF DECISION : 1st DECEMBER, 2016

Salman

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Sudhir Rana, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

Heard learned counsel for the petitioner.

Assailing the impugned order passed by the trial Court, summoning the petitioner as additional accused under Section 319 Cr.P.C., counsel for the petitioner contended that the petitioner Salman is said to have given punch blow on the face of the victim as against the opinion of the Doctor, in which he has stated that injury is not inflicted by metal punch. It is in this background it is clear that Salman's version before the court is not supported by the medical evidence. He further submits that the petitioner is a juvenile and student of D. Pharma and therefore, exemption may be granted to him for his personal appearance as he wants to pursue his studies.

Insofar as the matter is concerned having regard to the deposition of the victim and the impugned order, I find that no fault can be found in the impugned order as there is direct evidence against that

prima facie he had given punch blow on the face of the victim. In that view of the matter the impugned order is not interfered with.

The next question is about the petitioner's appearance before the trial Court being student and juvenile. This is a remarkable ground for exemption for personal appearance as he is required to undertake studies for his career.

In that view of the matter, this petition is not entertained. The petitioner shall appear before trial Court and the trial Court may consider the application of the petitioner for personal exemption, sympathetically in the above background in respect of permanent exemption, particularly looking to the nature of the offence.

Disposed of.

1ST DECEMBER, 2016
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(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No.