

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

256

**CRM-M-20147 of 2017 (O&M)
DATE OF DECISION: 05.09.2017.**

Mohan Kumar Karuppayan

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Preetinder Singh Ahluwalia, Advocate for the petitioner.

Mr. RBS Chahal, Addl. A.G., Punjab.

Shekher Dhawan, J. (Oral)

Present petition is for setting aside the order dated 11.05.2017 passed by Judicial Magistrate Ist Class, Ludhiana whereby the application of the petitioner seeking exemption from personal appearance in the Court at the time of pronouncement of the judgment, on medical grounds, was dismissed.

CRM-27868 of 2017 has been filed for extension of time to the applicant-petitioner to appear before the trial Court.

Learned counsel for the petitioner contended that the petitioner has undergone critical surgery and he is not in a position to appear before the trial Court as the doctor has advised him bed rest for six more weeks vide certificate dated 25.08.2017 (Annexure A-1).

Learned State counsel opposed the application.

Having considered the matter in its entirety and after perusing the available record including copy of medical certificate produced on the

file, it appears that the petitioner has undergone spine surgery on

20.04.2017 and thereafter, he was discharged from the hospital and now he has been advised bed rest. The petitioner has not appeared before the Court below though the matter was at final stage of decision.

In view of these facts, the present petition is disposed of with direction to the petitioner to appear before the trial Court on 12.09.2017 i.e. the date fixed by the learned trial Judge, along with his medical record and the trial Court will consider his request for extension of time on medical grounds, if any. Since the main petition itself has been decided, CRM-27868 of 2017 also stands disposed of accordingly.

(SHEKHER DHAWAN)
JUDGE

05.09.2017.

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Whether speaking/reasoned	:	YES/NO
Whether reportable	:	YES/NO