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

**\*\*\*\***

**CRM-M-8881-2018  
Date of Decision: 01.03.2018**

**\*\*\*\***

Rahul Samaiya

..... Petitioner

Versus

Kuldeep Dairy Farm

..... Respondent

**CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr. Ajay Kumar Kansal, Advocate,  
for the petitioner.

**SUDIP AHLUWALIA J. (ORAL)**

Heard.

[2]. No tangible grounds are made out to quash the proceedings at this stage since the submissions raised on behalf of the petitioner essentially relate to the disputable questions of fact the veracity of which can be determined only by way of a regular trial.

[3]. Faced with this, Ld. Counsel for the petitioner seeks liberty of this Court to have personal appearance of the petitioner exempted from the Trial Court on the ground that he is a resident of Jabalpur, M.P., and will therefore, face avoidable harassment for having to appear in the Trial Court time and again.

[4]. There is some merit in this submission but the same cannot be accepted in its totality.

[5]. After hearing Ld. Counsel for the petitioner, the present petition is disposed off with a direction that the petitioner shall be required to appear personally at the initial stage for the purpose of furnishing his bail

bonds as might be ordered by the Ld. Trial Court. Thereafter, his personal appearance during the trial may be exempted subject to the condition that his absence shall not be an enabling ground for his counsel to seek adjournment on his behalf. Furthermore, he would also be required to remain present personally at the stage of his examination under Section 313 Cr.P.C. and at the time of pronouncement of final judgment. Any adjournment sought for on his behalf during trial which is not in consonance with the directions of this order would render the petitioner liable to issuance of coercive processes forthwith.

**01.03.2018***Bhumika***(SUDIP AHLUWALIA)  
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No