

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

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CRM-M-12647-2019 (O & M)
Date of Decision:10.05.2019

Manjit Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Aalok Jagga, Advocate
for the petitioner.

MANOJ BAJAJ, J.

Petitioner has been filed this petition under Section 482 Cr.P.C. for setting aside the order dated 24.07.2018 (Annexure P-34), passed by the court of JMIC, Ludhiana arising out of FIR No.45 dated 31.05.2014 (Annexure P-14) registered against the petitioner under Section 427, 447, 120-B IPC at Police Station, PAU, Ludhiana vide which application filed by the petitioner under Section 205 Cr.P.C., seeking dispensing with his personal appearance before the trial Court, has been dismissed, and also prays for setting aside the order dated 25.10.2018 (Annexure P-37), whereby the application under Section 91 Cr.P.C. moved by the petitioner also stood dismissed.

Learned counsel for the petitioner contends that the petitioner is 70 years old person and is having knee problem, besides, the heart ailment. According to him, it would be in the interest of justice if his prayer for grant of permanent exemption from appearance before the trial Court is granted and trial be allowed to proceed in his absence.

With the assistance of learned counsel for the petitioner, I have gone through the impugned order dated 24.07.2018. It is apparent that the trial Court has already made it clear that in case the petitioner is unable to attend the date of hearing on a given date, he may seek exemption but has refused to grant absolute exemption from appearance before the trial Court.

This Court does not find that any extraordinary ground for granting absolute exemption from personal appearance.

Nothing was argued in respect of the order dated 25.10.2018 (Annexure P-37) passed upon the application. Therefore, it is apparent that the challenge to the petition has not been pressed.

In view of the above, no ground is made out for interference.

Petition stands dismissed.

10.05.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No