

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

**CRM-M-2602-2022
Date of decision: 21.01.2022**

Shish Ram

...Petitioner

Versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.S. Dinarpur, Advocate,
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,
for the respondent-State.

ANIL KSHETARPAL, J. (ORAL)

The hearing of the case is being held through video conferencing on the account of restricted functioning of the Courts.

The petitioner is a complainant in a criminal complaint. The proceedings before the learned Additional District & Sessions Judge, Bhiwani, are pending. His application for grant of exemption from appearance on the ground that he is suffering from fever has been dismissed. The Additional District & Sessions Judge, Bhiwani, has also directed issuance of warrants of his arrest for 02.02.2022.

Learned counsel representing the petitioner contends that the petitioner is a 90 years old man and on 05.01.2022, since he was unable to appear due to fever, therefore, he filed an application for exemption.

He further undertakes that the petitioner would appear before the Court on 02.02.2022, the date already fixed.

Keeping in view the facts, the order dated 05.01.2022 is conditionally set aside, provided the petitioner appears on 02.02.2022 before the Court of learned Additional District & Sessions Judge, Bhiwani and files an undertaking that he will not remain absent in the future unless his personal presence is exempted in advance.

With these observations, the present petition is disposed of. Since the order has been passed without issuing notice, therefore, the opposite party shall have liberty to file an application for recall, if required.

21.01.2022
Bhumika

(ANIL KSHETARPAL)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No