

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(122)

CRR-308-2020 (O&M)

Date of decision: - 17.10.2022

Maan Singh

....Petitioner

Versus

State of Punjab and another

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mohd. Yousaf, Advocate, for the petitioner.

VIKAS BAHL, J. (ORAL)

CRM-3893-2020

This is an application filed under Section 5 of the Limitation Act for condonation of delay of 192 days in filing the present revision petition.

For the reasons stated in the application, the delay of 192 days in filing the present revision petition is condoned.

Application stands disposed of.

CRR-308-2020

Challenge in the present revision petition is to the order dated 22.04.2019, vide which, the petitioner along with other co-accused have been summoned to face trial under Sections 307, 326, 323 and 427 read with Section 34 IPC.

Learned counsel for the petitioner has submitted that he be permitted to withdraw the present revision petition with liberty to take all the pleas which have been raised in the present petition before the trial Court.

In view of the statement made by learned counsel for the petitioner, the present revision petition is dismissed as withdrawn, with the liberty aforesaid.

Learned counsel for the petitioner has submitted that the petitioner has been summoned on an application filed under Section 319 Cr.P.C. and is a 50 year old person and has earlier suffered from a paralytic attack and is not keeping good health, thus, prays that the personal appearance of the petitioner before the trial Court may kindly be exempted.

Keeping in view the abovesaid facts as stated by learned counsel for the petitioner, the personal appearance of the petitioner before the trial Court is exempted, subject to the following conditions:-

- i) Petitioner shall be represented through his counsel;
- ii) shall not delay/stall the trial proceedings;
- iii) shall not dispute his identity as accused;
- iv) shall have no objection if the prosecution evidence is recorded in his absence, but in the presence of his counsel and will never raise a plea either before the trial Court or in appeals/revisions etc. that the prosecution evidence has been recorded in his absence or the proceedings have been conducted in his absence;
- v) shall appear before the trial Court as and when required by the trial Court;
- vi) any other condition which the trial Court may impose.

October 17, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No