

108

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

CRR-1480-2022 (O&M)
Date of decision : 19.07.2022

Sukhmander Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Gurjot Singh Sadhrao, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

CRM-24780-2022

This is an application filed under Section 5 of the Limitation Act read with Section 482 of Cr.P.C. for condonation of delay of 45 days in filing the present Criminal Revision.

For the reasons stated in the application, the delay of 45 days in filing the present Criminal Revision is condoned.

Application stands disposed of.

Main case

Challenge in the present Criminal Revision is to the order dated 31.08.2021 vide which charges have been framed against the petitioner for the offence under Sections 306, 342, 201 and 120-B of the Indian Penal Code, 1860.

After arguing for sometime, learned counsel for the petitioner seeks permission of this Court to withdraw the present Criminal Revision with liberty to the petitioner to take up all the points as raised in the present petition

and available to him, at the relevant stage before the trial Court.

In view of the above, the present Criminal Revision is dismissed as withdrawn with liberty aforesaid.

Learned counsel for the petitioner has further made a prayer that petitioner is 50 years old and is residing at Kotkapura whereas, the proceedings are going on in Faridkot and the petitioner is the sole bread winner of his family and thus, prays that his personal appearance before the trial Court may kindly be exempted.

Keeping in view the abovesaid facts as stated by learned counsel for the petitioner that petitioner is 50 years old and residing at Kotkapura whereas, the proceedings are going on in Faridkot and he is the sole bread winner of his family, thus, his personal appearance 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.

19.07.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No