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

CRR-2521-2022 (O&M)
Date of decision : 30.11.2022

Ajay Kumar @ Monty Kamboj

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

Challenge in the present Criminal Revision is to the order dated 29.09.2022, vide which, the petitioner has been summoned under Section 319 Cr.P.C. to face the trial under Sections 120-B, 148, 323, 324, 326, 307 read with Sections 149, 188, 506 and 216 of Indian Penal Code, 1860.

After arguing for sometime, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition 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In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.

Learned counsel for the petitioner has further made a prayer

that the petitioner is a student and has been summoned under Section 319 Cr.P.C. 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, 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.

All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

30.11.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No