

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-59296-2022

Date of decision : 19.12.2022

Jagsir Singh alias Jagga

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. R.V.S.Chugh, Advocate for the petitioner.

VIKAS BAHL, J.(ORAL)

This is the petition under Section 482 Cr.P.C. quashing of the impugned order dated 29.11.2019 passed by the Sub Divisional Judicial Magistrate, Talwandi Sabo vide which the petitioner has been summoned under Section 319 Cr.P.C. in FIR no.258 dated 09.10.2017 registered under Sections 325, 324, 323, 34 IPC at Police Station Raman, District Bathinda as well as order dated 03.09.2022 passed by the Additional Sessions Judge, Bathinda whereby the revision petition filed by the petitioner has been dismissed and the order dated 28.10.2022 vide which the charges have been framed against the petitioner.

Learned counsel for the petitioner, after arguing for some time, seeks to withdraw the present petition with liberty to raise all the points which have been raised in the present petition, during the course of trial. Learned counsel for the petitioner has submitted that the petitioner, who has been summoned under Section 319 Cr.P.C., is the sole bread winner of his family and has an old ailing mother and minor children and prays that the

personal appearance of the petitioner be exempted.

In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.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

(VIKAS BAHL)
JUDGE

December 19, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No