

Rajinder Kumar @ Gaurav Arora and another
.....Petitioners
Versus
State of Punjab
.....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ravi Malhotra, Advocate for the petitioners.
Mr. Virat Rana, AAG, Punjab.

ANOOP CHITKARA, J.

After arguing for some time, counsel for the petitioners submits that given the nature of allegations and the distance relationship of petitioners' with the family in which the complainant was married, their personal appearance before the trial Court be exempted through out the trial, in case the trial commences. He further submits that the petitioners be permitted to raise all the points mentioned in the present petition, at the time of framing of charges.

Prayer being innocuous is accepted.

Given above, the present petition is disposed of with the following directions:-

The concerned Court shall permit the petitioners to raise all the points which have been mentioned in the present petition at the time of framing of charges. In case, charges are framed, the petitioners be exempted from personal appearance before the trial Court and are permitted to appear through counsel on all dates except at the time of recording of statement under Section 313 CrPC, for their evidence in defence if they want to appear and at the time of pronouncement of final judgment. It is clarified that the petitioners-accused shall not claim any prejudice in this regard in any Court. It is further clarified that the petitioners shall not take any adjournment before the trial Court except of exceptional circumstances. Failure to do so, this order shall stand recalled automatically.
Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

22.02.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no