

153 2023:PHHC:141061
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-55837-2023 (O&M)
Date of decision: 06.11.2023
SUKHBIR SINGH

...Petitioner

V/s

RAJBIR SINGH

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anil Kumar Singh Goyat, Advocate
for the petitioner.

HARPREET SINGH BRAR J. (ORAL)

1. Learned counsel for the petitioner at the outset wishes to withdraw the present petition with liberty to take all the pleas raised in the present petition at the appropriate stage before the learned trial Court and confines his prayer to the extent that personal appearance of the petitioner may be exempted from the trial Court.

2. He relies upon CRM-M-25963-2023 titled as ***Suresh Kumar and Another Vs. The State of Haryana and Another*** 2023 (2) Law Herald 1498, to seek exemption of the petitioner from personal appearance before the learned trial Court.

3. Keeping in view the facts and circumstances of the case and in light of the above discussion, the prayer for quashing of the impugned complaint in question is declined. However, 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 their identity as accused;
- iv). shall have no objection if the prosecution evidence is

recorded in their absence but in the presence of his counsel;
v). shall appear before the trial Court as and when required;
and
vi). Any other condition which the trial Court may impose.

4. With these observations, the present petition is disposed of
with the liberty as aforesaid.

(HARPREET SINGH BRAR)
JUDGE

06.11.2023
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No