

CRM-M-58902-2023
Date of decision: 22.11.2023

Akash Singh @ KalluPetitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Manjinder Singh Saini, Advocate
for the petitioner.

Ms. Navreet Kaur Barnala, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

Learned counsel for the petitioner wishes to withdraw the present petition and confines his prayer to the extent of seeking exemption from personal appearance of the petitioner before the learned trial Court on the ground that he is resident of Taroti, Akhnoor, Jammu and attending the trial at Hoshiarpur, would cause great inconvenience to him and would also hamper his livelihood.

The instant petition is dismissed as withdrawn. However, in view of the ratio laid down by this Court in CRM-M-25963-2023 titled as '**Suresh Kumar and another Vs. The State of Haryana and another**' 2023 (2) Law Herald 1498, the personal appearance of the petitioner before the learned trial Court is ordered to be 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;

CRM-M-58902-2023

-2-

- 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.

(HARPREET SINGH BRAR)
JUDGE

22.11.2023
Neha

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