

CRM-M-8400-2024
Date of decision: 16.02.2024

...PETITIONER

STATE OF HARYANA

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR J. (ORAL)

2. Learned counsel wishes to withdraw the present petition and confines his prayer to the extent that the personal appearance of the petitioner before the learned trial Court be exempted as attending each and every date of hearing before the trial Court would cause inconvenience and effect the livelihood of the petitioner.

3. The instant petition is dismissed as withdrawn.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;
- 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.

February 16, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |