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CRM-M-45145-2016 (O&M)**122+208****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-45145-2016 (O&M)****Date of Decision: 06.11.2024****PAWAN KUMAR & ORS****.. Petitioners****Vs.****STATE OF PUNJAB AND ANR****..Respondents****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present: Mr. Pritpal Singh Miglani, Advocate for the petitioners.****Mr. Anup Singh, AAG, Punjab.****Mr. Gurmeet Singh Saini, Advocate
for respondent No.2.**

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SUMEET GOEL, J. (Oral)

1. After arguing the matter for some time, learned counsel for the petitioners seeks to withdraw the instant petition with liberty to take all pleas at all relevant stages of trial. However, it has been submitted by the learned counsel for the petitioners that petitioner No.3 (Darshana Rani) is a lady aged about 62 years and, therefore, it is very difficult for her to attend each and every date of hearing in the Court. Accordingly, a prayer for exemption from personal presence has been made for petitioner No.3 (Darshana Rani).

2. Keeping in view the entirety of facts and circumstances of the case, the main petition is directed to be dismissed as withdrawn. However, petitioner No.3 is granted exemption from personal appearance before the trial Court subject to the following conditions: -

(i) she will be represented by a counsel;



CRM-M-45145-2016 (O&M)

- (ii) she will not delay/stall the proceedings of the trial Court;
 - (iii) she will not dispute her identity as accused;
 - (iv) she will have no objection if the prosecution evidence is recorded in her absence but in presence of her counsel;
 - (v) she will appear before the trial Court as and when required by the trial Court and any other condition which the trial Court may impose.
3. Pending applications, if any, shall also stand disposed off.

06.11.2024.
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No