



239 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-25313-2023 (O&M)

Date of Decision: 16.09.2024

GAURAV GEHLAWAT AND ANOTHER

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gautam Dutt, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Mohit Garg, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. Learned counsel for the petitioners wishes to withdraw the present petition and seeks liberty to take all the pleas raised in the present petition at the appropriate stage during the course of trial. However, learned counsel for the petitioners further submits that petitioners are residents of Chandigarh and trial of the case is progressing at Sirsa and attending trial on each and every date would cause great hardship and inconvenience to them. Therefore, he prays for exemption from personal appearance of the petitioners from the trial Court.

2. In view of the above, present revision petition stands dismissed as withdrawn with liberty as aforesaid. 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 petitioners before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- (i)

petitioner shall be represented through their counsel;
- (ii)

shall not delay/stall the proceedings;
- (iii)

shall not dispute their identity;
- (iv)

shall have no objection if the prosecution evidence is recorded in
their absence but in the presence of their counsel;
- (v)

shall appear before the Court as and when required; and
- (vi)

any other condition, which the Court below may impose.

16.09.2024

Ajay Goswami

Whether speaking/reasoned

Whether reportable

(HARPREET SINGH BRAR)

JUDGE

Yes/No

Yes/No