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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-30798-2024 (O&M)****Date of Decision: 05.08.2024****KUSHLINDER SINGH****.. Petitioner****Vs.****STATE OF PUNJAB & ANR.****..Respondents****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Vijay Pal, Advocate for
Mr. Santosh Kumar, Advocate for the petitioner.
(*through Video Conferencing*)

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SUMEET GOEL, J. (Oral)**CRM-31018-2024**

Application is allowed, as prayed for. Amended memo of parties is taken on record.

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1. Learned counsel for the petitioner seeks to withdraw the instant petition with liberty to raise all pleas at relevant stages in the trial. However, learned counsel for the petitioner has submitted that the petitioner is a permanent resident of Jaipur (Rajasthan) and is required to travel to Ludhiana for attending hearing of the case. Learned counsel for the petitioner has thus prayed that personal presence of the petitioner be exempted during the course of trial.

2. The main petition is directed to be dismissed as withdrawn.

3. Keeping in view the entirety of facts and circumstances of the case, especially the factum of the petitioner being permanent resident of



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Jaipur (Rajasthan) and the trial is being undertaken in Ludhiana, Punjab, the personal presence of the petitioner is exempted before the trial Court subject to the following conditions:

- (i) *He will be represented by a counsel.*
- (ii) *He will not delay/stall the proceedings of the trial Court.*
- (iii) *He will not dispute his identity as accused.*
- (iv) *He will have no objection if the prosecution evidence is recorded in his absence but in presence of his counsel.*
- (v) *He will appear before the trial Court as and when required by the trial Court and any other condition which the trial Court may impose.*

4. Pending applications, if any, shall also stand disposed off.

05.08.2024
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No