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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-46259-2024

Date of decision: 17.09.2024

Karam Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Manjit Singh Khattri, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.81 dated
07.05.2024 under Sections 354-A/354-D of IPC registered at Police Station
Sadar Nabha.

Learned counsel for the petitioner wishes to withdraw the present
petition with liberty to raise all the pleas taken in the present petition before the
learned trial Court at appropriate stage. However, he confines his prayer to the
extent of seeking exemption of the petitioner from personal appearance before
the learned trial Court as the petitioner is 61 years of age retired person and he
is suffering from various ailments, therefore, attending trial on each and every
date would cause great hardship and inconvenience to him as well as affect his
livelihood.

The instant petition is dismissed as withdrawn with the liberty
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

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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 his identity as accused;
- iv) shall have no objection if the prosecution evidence is recorded in his 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

17.09.2024*Neha*

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