



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

**CRM-M-59967-2024 (O&M)
Date of Decision: 29.11.2024**

RANA HARWINDER SINGH REKHI

...Petitioner

V/S

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

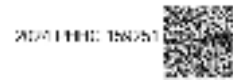
Present: Mr. I.S. Dhaliwal, Advocate (through video conferencing)
and Ms. Vibhakti Chaudhary, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This is the first petition filed under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 (erstwhile Section 482 of Cr.P.C.) seeking issuance of directions granting exemption to the petitioner from personal appearance from learned trial Court i.e. learned JMIC, Ludhiana in the proceedings arising out of FIR No. 160 dated 24.10.2014 registered under Sections 323, 324, 452, 506, 354, 509 and 34 of Indian Penal Code at Police Station Model Town District Ludhiana City and permit the petitioner to be represented through his counsel or through video conferencing.

2. Learned counsel for the petitioner wishes to withdraw the present petition and seeks liberty to press the issue before learned trial Court for expeditious disposal of trial, however, he confines his prayer to the effect that FIR(supra) was registered in the year 2014 and petitioner is attending the trial on each and every date since the year 2015, when the charges were framed and conclusion of trial is being delayed by the prosecution and further the complainant has again moved an application for leading additional evidence,



just to delay the trial and petitioner is resident of Delhi and trial of the case is progressing at Ludhiana and attending trial on each and every date is causing great hardship and inconvenience to the petitioner. Therefore, he prays for exemption from personal appearance of the petitioner from the trial Court.

3. In view of the above, present revision petition is dismissed as withdrawn with liberty as aforesaid.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 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 proceedings;
- (iii) shall not dispute his identity;
- (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 Court as and when required; and
- (vi) any other condition, which the Court below may impose.

29.11.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

AJAY GOSWAMI
2024.12.02 10:40
I attest to the accuracy and
integrity of this document