

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25486-2016
Date of Decision: 17.08.2016

Subhash Chander and anr.

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Ramesh Sharma,Advocate, for the petitioners.

RITU BAHRI, J. (ORAL)

Petitioners are father-in-law and mother-in-law of the complainant seeking quashing of FIR No.141 dated 10.09.2013 for the offence under Sections 406, 498-A, 323 IPC, P.S.City Fazilka, Distt. Fazilka and subsequent proceedings arising therefrom including order dated 26.03.2014.

The allegations against the petitioners are general in nature and it is stated that charges have been framed against the petitioners in this case.

Keeping in view the fact that trial is at the stage of recording the evidence, this petition is disposed of with liberty to the petitioners to take all the pleas before the trial Court. However, personal appearance of the petitioners before the trial Court shall remain exempted subject to following conditions:

1. A narration of facts to satisfy the court of his real difficulties to be physically present in court for giving such answers. Physical distance is one of the most important factors.

2. An assurance that no prejudice would be caused to him, in any manner, by dispensing with his personal presence during such questioning.
3. An undertaking that he would not raise any grievance on that score at any stage of the case."
4. That if at any stage of the proceeding, the petitioner is required by the trial Court; he shall have to appear in person.
5. An undertaking to the satisfaction of the court that he would not dispute his identity as the particular accused in the case, and
6. That a counsel on his behalf would be present in court and that he has no objection in taking evidence in his absence.

(RITU BAHRI)
JUDGE

17.08.2016
anil

Whether speaking/reasoned : *Yes/No.*

Whether reportable *Yes/No.*