

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

**Crl. Misc. No.M-3976 of 2014 (O&M)
Date of decision : 29.11.2016**

Dr. Hema Mittal and others

.....Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. Sandeep Vashist, D.A.G. Haryana.

Mr. Gaurav Mohunta, Advocate
for respondent no.2.

ANITA CHAUDHRY, J.

The instant petition is for quashing of FIR No. 81 dated 25.04.2012 registered under Sections 406, 498-A, 323, 506 IPC, Police Station Palam Vihar, Gurgaon, District Gurgaon and the consequent proceedings arising out of the same.

The counsel appearing for respondent no.2 states that the case is at the final stages and only two official witnesses which includes the Investigating Officer remain to be examined and the case is fixed for 03.12.2016.

The trial is at the last stages, therefore, the pleas can be raised before the court below. The prosecution is directed to conclude its evidence on the next date. It will produce the remaining two official witnesses and close its evidence by the next date.

On going through the file, I find that the presence of petitioners no.2 & 3 had been exempted. The presence of petitioners no.2 & 3 would be required when the case is fixed for recording their statement under Section 313 Cr.P.C. The petitioners whose presence has been exempted would appear on the date on which the case is fixed for recording their statement under Section 313 Cr.P.C.

The petition is disposed with above directions.

29.11.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No