

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

CRM No.M-29155 of 2017

Date of decision: 10.08.2017

Harjot Kaur

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gurcharan Dass, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

The petitioner prays for quashing of FIR No.44 dated 28.05.2013 registered under Sections 406 IPC and 4 of the Dowry Prohibition Act at Police Station Koom Kalan, District Ludhaina; report under Section 173 Cr.P.C. dated 30.08.2013 and order framing charge dated 05.11.2014.

At the very outset, learned counsel for the petitioner restricts his arguments only to the extent of seeking exemption of personal appearance of the petitioner, who is a lady aged 47 years, on the ground of in-distant relation of Gurjant Singh, with whom the alleged engagement of the complainant had taken place. It is further submitted that the petitioner is a resident of village Kotla Ajner, District Fatehgarh Sahib and it is difficult for her to appear before the trial Court on each and every date of hearing.

Since, conclusion of the trial may take some time and considering the fact that the petitioner is a resident of village Kotla Ajner, District Fatehgarh Sahib, personal appearance of the petitioner shall remain exempted on filing an application under Section 205

Cr.P.C. before the trial Court. The trial Court shall grant exemption to the petitioner – Harjot Kaur from personal appearance on the condition that she will be represented through her counsel and will not object to any evidence being produced during the course of trial by the complainant and she will appear before the trial Court as and when required for the purpose of admission or denial of any documents. However, it will be open for the trial Court to seek personal appearance of the petitioner, if her counsel do not co-operate or fail to appear on her behalf.

Disposed of accordingly.

(ARVIND SINGH SANGWAN)
JUDGE

10.08.2017

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No