

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4867 of 2015
Date of Decision: 01.02.2017

Kashmir Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Amit Dhawan, Advocate for the petitioner.

Mr.Neeraj Sharma, AAG, Punjab.

Mr.R.S.Manhas, Advocate for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.05 dated 06.01.2014, for the offence under Sections 406, 498A IPC registered at Police Station Shahkot District Jalandhar along with all consequential proceedings arising therefrom.

Petitioner is brother in law of the husband of the complainant/respondent No.2. The marriage of the complainant/respondent No.2 was solemnized with Gurdeep Singh on 08.02.2011 who is residing in Germany. After the marriage, the complainant shifted to Germany and stayed with her husband. It was not in the knowledge of the complainant that her husband was already married in Germany and was having a daughter also.

Learned counsel for the State submits that charges have not been framed in this Case.

Keeping in view the challan has been presented against the husband-Gurdeep Singh who has been declared as proclaimed offender, this petition is disposed of by giving direction to the petitioner to take all the pleas before the trial Court.

Meanwhile, personal appearance of petitioner before the trial Court is exempted, subject to the following conditions:- (i) petitioner shall be represented through counsel; (ii) shall not delay/stall the trial proceedings; (iii) shall not dispute their identity as accused: (iv) shall have no objection if, the prosecution evidence is recorded in their absence, but in the presence of their counsel; (v) shall appear before the trial Court as and when required; and (vi) any other condition which the learned trial Court may impose.

(RITU BAHRI)
JUDGE

01.02.2017
anil

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