

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

**CRM-M-22811-2016
Date of Decision: 16.03.2018**

Satnam Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Munish Raj Chaudhary, Advocate
for the petitioners.

Mrs. Anju Arora, Addl. A.G., Punjab.

None for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 12 dated 16.02.2013, under Sections 406 and 498-A of the IPC, registered at Police Station Women Cell, Ludhiana and all subsequent proceedings arising therefrom.

Notice of the petition was issued on 20.01.2017 and the trial Court was directed to adjourn the case beyond the date fixed by the Court. Upon notice, appearance has been caused by the counsel for the respondent-State, however, service upon respondent No. 2 remained uneffected.

Today, the matter has been taken up for consideration and this Court is informed that after separating from petitioner No. 1, respondent No. 2 started living with one Jagsir Singh, who after sometime committed suicide due to harassment caused by respondent No. 2 and her sister. In this

regard, FIR No. 170 dated 30.05.2015, registered under Sections 305 and 506 of the IPC at Police Station Dhaka was lodged at the behest of the mother of Jagsir Singh in which proceedings, respondent No. 2 has already been declared a proclaimed offender.

In such a situation, without presence of respondent No. 2, it is very difficult for this Court to decide the matter. Therefore, without going into the merits of the case, this petition is being disposed of by giving a direction to trial Court to proceed with the trial. Let an endeavour be made by the trial Court to complete the trial in a time bound manner, preferably within a period of two months from today.

At this stage, learned counsel for the petitioners prays for exemption from personal appearance before the trial Court.

Prayer is accepted.

Personal appearance of the petitioners herein before the trial Court is exempted subject to the following conditions that they:

- (i) shall be represented through their 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 by the trial Court; and
- (vi) any other condition which the trial Court may impose.

16.03.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No