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

CRM-M-48005-2021

Date of decision : 23.11.2021

Veena Maheshwari

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Manish Kumar Singla, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.219 dated 23.09.2016 registered under Sections 420, 406 of the Indian Penal Code, 1860 at Police Station Kotwali Bathinda, District Bathinda (Annexure P-1) and all the subsequent proceedings arising therefrom.

Learned counsel for the petitioner, at the outset, submits that the petitioner be permitted to withdraw the present petition with liberty to take up all the points as raised in the present petition before the trial Court. He further prays that since the present petitioner is a 44 year old lady and has two children including one daughter who is of marriageable age, thus, prays that her personal appearance before the trial Court may kindly be exempted.

In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.

However, keeping in view the facts that the present petitioner is a 44 year old lady and has two children including one daughter who is of marriageable age, the personal appearance of the petitioner before the trial Court is exempted, subject to the following conditions:-

- i) Petitioner shall be represented through his/her counsel;
- ii) shall not delay/stall the trial proceedings;
- iii) shall not dispute her identity as accused;
- iv) shall have no objection if the prosecution evidence is recorded in her absence but in the presence of his/her counsel;
- v) shall appear before the trial Court as and when required by the trial Court;
- vi) any other condition which the trial Court may impose.

Learned counsel for the petitioner has submitted that there is a possibility of the matter being compromised and, therefore, prays that the present order should not come in the way of the petitioner to file a petition on the basis of compromise.

Needless to say that in case, the matter is compromised and a fresh petition is filed on the basis of compromise in accordance with law, the present order would not come in the way of the petitioner to file the same.

23.11.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Whether reportable:-

Yes/No

Yes/No