

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(127)

CRM-M-8359-2022

Date of Decision: 25.02.2022

Meenakshi Sharma & others

--Petitioners

Versus

State of Haryana & another

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Arjun Veer Sharma, Advocate for the petitioners.

Mr. Vishal Kashyap, D.A.G., Haryana.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The petitioners have filed the present petition seeking quashing of FIR No.470 dated 26.8.2021 registered under Sections 406, 498-A, 506 I.P.C at Police Station, City Kaithal along with subsequent proceedings.

Having argued the matter at some length, learned counsel for the petitioners prays for withdrawal of the present petition with liberty to avail the alternate remedies as available to the petitioners in accordance with law. Counsel submits that petitioner no.2 namely Ashwani Kumar Sharma is seriously ill and is on dialysis and he may be granted the benefit of exemption from personal appearance before the Trial Court.

Prayer is allowed.

Dismissed as withdrawn with the liberty, as prayed for.

The learned Trial Court is directed to consider the application if moved by petitioner no.2 Ashwani Kumar Sharma for the grant of exemption from his personal appearance during trial subject to the

petitioner's filing affidavit to the following effect:-

1. That petitioner will have no objection if the statements of witnesses are recorded in his absence but in the presence of his counsel.
2. That he will appear before the trial Court as & when required to do so by it.
3. That he will abide by any other condition imposed by the trial Court while granting him exemption from personal appearance.

(RAJESH BHARDWAJ)
JUDGE

25.02.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No