

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

237

**CRM-M-16917-2016
Date of Decision:14.03.2022**

KALI RAM DHIMAN AND ORS

...PETITIONERS

VERSUS

STATE OF HARYANA AND ANR

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr.Sandeep Verma, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. S.S. Sarwara, Advocate for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Instant petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.10 dated 03.03.2016 under Sections 406 and 498-A of IPC, 1860, registered at Police Station Women, Ambala, Annexure P-1, alongwith all subsequent proceedings arising therefrom.

Although this matter was sent to the Mediation and Conciliation Centre of this Court but no settlement could be arrived at.

Counsel for the petitioners submits that petitioners No.1 and 2 are in-laws and petitioner No.3 is sister-in-law of the complainant-respondent No.2 and the impugned FIR, Annexure P-1 has emanated from a matrimonial dispute. He submits that the marriage between complainant/respondent No.2 and Devinder Dhiman has been dissolved by a decree of divorce passed on 24.08.2018, which is under challenge before this Court in an appeal.

Upon instructions from L/HC Amla, State counsel submits that the trial is at an advanced stage and is fixed for defence evidence on 23.03.2022.

Keeping in view the above, this Court deems it appropriate to dispose of the petition granting liberty to the petitioners to take all the available pleas before the trial Court. However, personal presence of the petitioners shall be exempted before the Trial Court, subject to the following conditions:-

(i) That the counsel for petitioners keeps on appearing in the court on each and every date of hearing.

(ii) That the counsel for petitioners will give an undertaking before the Court about the instructions of the said petitioners to cross-examine the witness(s) in their absence.

(iii) That petitioners will not dispute the identity of the witnesses examined in their absence.

(iv) That petitioners will give an undertaking in the Court that they will put in appearance, before the Trial Court as and when required.

14.03.2022
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No