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

CRM-M-12884-2022

Date of decision : 28.03.2022

Jaswinder Kaur and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Kanwaljeet Singh Derabassi, Advocate for the petitioners.

Mr. Harpreet S. Multani, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is petition filed under Section 482 of Cr.P.C. for quashing of FIR No.201 dated 01.11.2015 registered under Sections 420/406/120-B of the Indian Penal Code, 1860 at Police Station Lalru, District S.A.S. Nagar (Annexure P-3), and all the consequential proceedings arising therefrom.

Learned State Counsel has submitted that in the present case, FIR is of the year 2015 and challan has already been presented and even the charges have been framed on 20.12.2019 and examination-in-chief of two witnesses have been recorded.

In view of the abovesaid statement made by learned counsel for the petitioners, learned counsel for the petitioners seeks permission of this Court to withdraw the present petition with liberty to the petitioners to take up all the points as raised in the present petition and available to them, at the relevant stage before the trial Court.

In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.

Learned counsel for the petitioners has further submitted that the petitioners are old ladies of 69 years and 62 years of age and petitioner No.2 is resident of Rajasthan and thus, prays that personal appearance of the petitioners before the trial Court may kindly be exempted.

Keeping in view the abovesaid facts as stated by learned counsel for the petitioners that the petitioners are old ladies of 69 years and 62 years of age and petitioner No.2 is resident of Rajasthan, thus, the personal appearance of the petitioners before the trial Court is exempted, subject to the following conditions:-

- i) Petitioners 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 and will never raise a plea either before the trial Court or in appeals/revisions etc. that the prosecution evidence has been recorded in their absence or the proceedings have been conducted in their absence;
- 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.

28.03.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**