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

CRM-M-27822-2021

Date of decision : 07.04.2022

Meenu Chugh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ravi Dutt Sharma, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.117 dated 15.07.2020 registered under Sections 451, 323, 509, 427, 506, 147 and 149 of the Indian Penal Code, 1860 at Police Station City-1, Mansa (Annexure P-1) and all the consequential proceedings arising therefrom.

Learned State Counsel has pointed out that in the present case, report under Section 173 of Cr.P.C. has been filed.

In view of the above, 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In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.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 stated that petitioner No.2 is a 56 year old person, petitioner No.3 is a 52 year old lady, petitioner Nos.5 and 6 are 50 years old and 54 years old respectively and are the only uncles of petitioner No.1 and the present FIR has been registered by respondent No.4, who is the mother-in-law of petitioner No.1. It is further submitted that the trial of the case is pending in District Mansa whereas, petitioner Nos.2, 3, 5 and 6 are residents of District Sirsa and thus, prays that their personal appearance before the trial Court may kindly be exempted.

Keeping in view the abovesaid facts as stated by learned counsel for the petitioners moreso, the fact that petitioner Nos.2, 5 and 6 are above 50 years of age and petitioner No.3 is a 52 year old lady and petitioner Nos.5 and 6 are stated to be the uncles of petitioner No.1 and the fact that petitioner Nos.2, 3, 5 and 6 are stated to be residents of District Sirsa whereas, trial of the case is pending in District Mansa and also the fact that the present FIR has been registered by respondent No.4, who is the mother-in-law of petitioner No.1, thus, the personal appearance of petitioner Nos.2, 3, 5 and 6 before the trial Court is exempted, subject to the following conditions:-

- i) Petitioner Nos.2, 3, 5 and 6 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.

07.04.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No