

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

**126**

**CRM-M-50039-2021 (O & M)**

**Date of Decision: 13.01.2022**

**SAKSHI JAGYA**

**...PETITIONER**

**VERSUS**

**STATE OF PUNJAB AND ANOTHER**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. Ritesh Pandey, Advocate  
for the petitioner.

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**SUVIR SEHGAL, J.(ORAL)**

Heard through video conferencing.

**CRM-1299-2022**

Application is allowed.

Wedding Card and Birth Certificate, Annexures P-4 and P-5,  
are taken on record.

**Main Case**

Instant petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.138 dated 14.10.2019 under Sections 498-A/406, IPC, 1860, registered at Police Station Dina Nagar, District Gurdaspur, Annexure P-2, alongwith all subsequent proceedings arising therefrom.

At the outset, counsel for the petitioner submits that he does not press the petition on merits. However, it is his request that personal appearance of the petitioner, who is the married sister-in-law of the complainant, residing at Agra, and has a 04 years old son to take care of, be exempted from the trial court.

Keeping in view the fact that the petitioner got married in the year 2016 and is settled at Agra, which is at a distance of more than 700 kms. from Gurdaspur and has a child to take care of, her travel on each and every date may not be feasible. The request made by the counsel, thus, deserves favorable consideration.

The petition is accordingly disposed of. Petitioner is permitted to appear before the trial court through a counsel, subject to the following conditions:-

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

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

(iii) That the petitioner will not dispute the identity of the witnesses examined in her absence.

(iv) That the petitioner will give an undertaking in the Court that she will put in appearance on every date as and when required by the Court.

13.01.2022  
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**(SUVIR SEHGAL)**  
**JUDGE**

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |