

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

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CRM-M-54483-2021

Date of Decision:22.02.2022

TRILOK CHAND AND ORS

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ANR

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. S.S. Sidhu, Advocate for the petitioners.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Although, the petitioners have sought quashing of FIR bearing No.17 dated 18.03.2021 under Sections 498-A and 406 of IPC, 1860, registered at Police Station Women, Commissionerate District Amritsar, but during the course of arguments, the counsel for the petitioners restricts his prayer to grant of exemption from personal appearance to petitioners No.1 and 2, who are in-laws of the complainant.

Counsel for the petitioners submits that petitioner No.1 is 67 years of age and petitioner No.2 is 55 years of age and both of them are residents of Kangra in Himachal Pradesh, whereas the FIR, which has been lodged due to a marital dispute, is pending trial at Amritsar. Counsel submits that travelling time between the two places is three hours, and due to their age, they are not in a position to attend the proceedings before the Trial Court.

Having heard counsel for the petitioners, this Court is of the view that it is a fit case to grant exemption to petitioners No.1 and 2 from their personal appearance before the Trial Court on the following conditions:-

(i) That the counsel for petitioner No.1 and 2 keeps on appearing in the court on each and every date of hearing.

(ii) That the counsel for petitioner No.1 and 2 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 No.1 and 2 will not dispute the identity of the witnesses examined in their absence.

(iv) That petitioners No.1 and 2 will give an undertaking in the Court that they will put in appearance on every date as and when required by the Court.

Petition is disposed of.

22.02.2022
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(SUVIR SEHGAL)
JUDGE

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