



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

**CRM-M-1365-2022 (O&M)
Date of Decision: 17.09.2024**

SUSHMA HANDA

...Petitioner

V/S

UT CHANDIGARH AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gursimran Singh Madaan, Advocate
for the petitioner.

Mr. Virenjeet Singh Mahal, Addl. PP UT Chandigarh.

Ms. Seema Pasricha, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 482 of Cr.P.C. challenging registration of FIR No. 91 dated 08.12.2021 registered under Section 406, 498-A of Indian Penal Code at Police Station Women, Chandigarh along with all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner wishes to withdraw the present petition and seeks liberty to take all the pleas raised in the present petition at the appropriate stage during the course of trial. However, learned counsel for the petitioner confines his prayer to the effect that petitioner is resident of Mumbai whereas trial of the case is progressing at Chandigarh and attending trial on each and every date would cause great hardship and inconvenience to her. Therefore, he prays for exemption from personal appearance of the petitioner from the trial Court.



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2. In view of the above, present revision petition stands dismissed as withdrawn with liberty as aforesaid. However, in view of the ratio laid down by this court in CRM-M-25963-2023 titled as 'Suresh Kumar and another Vs. The State of Haryana and another' 2023 (2) Law Herald 1498, the personal appearance of the petitioner before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- (i) petitioner shall be represented through her counsel;
 - (ii) shall not delay/stall the proceedings;
 - (iii) shall not dispute her identity;
 - (iv) shall have no objection if the prosecution evidence is recorded in her absence but in the presence of her counsel;
 - (v) shall appear before the Court as and when required; and
 - (vi) any other condition, which the Court below may impose.
3. Pending CRM(s), if any, are also disposed of accordingly.

17.09.2024

Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No