



224 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-7308-2023 (O&M)
Date of Decision: 15.05.2024

SANGEETA TANEJA AND ANOTHER

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Diwan S. Adlakha, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in the present petition filed under Section 482 of Cr.P.C. is for quashing of the FIR No. 60 dated 14.03.2022 registered under Sections 323, 406, 498-A of Indian Penal Code at Police Station Women Police Station District Yamuna Nagar and all consequential proceedings arising therefrom.
2. Learned counsel for the petitioners submits that there are vague and omnibus allegations levelled against the petitioners who are senior citizens and mother-in-law and father-in-law of respondent No. 2.
3. Learned counsel for the petitioners wishes to withdraw the present petition and seeks liberty to raise all the pleas taken in the present petition at the appropriate stage before the learned trial Court. However, learned counsel for the petitioners confines his prayer to the effect that both the petitioners are senior citizens and mother-in-law and father-in-law of respondent No. 2. They are residents of Muzaffarnagar (Uttar Pradesh) and are suffering from various ailments whereas trial of the case is progressing at Yamuna Nagar and

travelling from such a long distance for attending the trial on each and every date would cause great hardship and inconvenience to the petitioners. Therefore, he prays that presence of both the petitioners may be exempted before the trial Court permanently.

4. 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 petitioners before the learned trial Court is ordered to be exempted permanently, subject to the following conditions:-

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

5. Present petition is dismissed as withdrawn with liberty to the petitioners to raise all the pleas taken in the present petition at the appropriate stage before the learned trial Court.

15.05.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No