



255 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-7496-2024 (O&M)

Date of Decision: 07.08.2024

INDIRA DEVI AND ANOTHER

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Birinder Pal, Advocate and
Mr. Manvinder Singh, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Aditya Sanghi, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 482 of Cr.P.C. seeking quashing of FIR No. 57 dated 02.06.2023 (Annexure P-1) for offences punishable under Sections 323, 328, 34, 354-A, 376, 406, 498-A, 506 and 511 of Indian Penal Code (Sections 328, 354-A, 376 and 511 were deleted during investigation) registered at Police Station Women Narnaul, District Mahendergarh.

2. Learned counsel for the petitioners, after arguing for some time, 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 petitioners further submits that petitioners are residents of Delhi and trial of the case is progressing at District Mahendergarh and attending trial on each and every date would cause great hardship and



inconvenience to them. Therefore, prayer was made for exemption from personal appearance of the petitioners from the trial Court.

3. In view of the above, present revision petition stands dismissed as withdrawn with liberty as aforesaid.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 petitioners before the learned trial Court is ordered to be exempted, 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.

07.08.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No