



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-9973-2023(O&M)
DATE OF DECISION: 01.08.2024

Sucha Singh and anotherPetitioners

VERSUS

State of Punjab and anotherRespondents

CORAM HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present Mr.Aarav Ghai, Advocate,
for the petitioners.

Mr.Rishabh Singla, AAG, Punjab.

Mr. Nimish Gautam, Advocate,
for Mr. Dheeraj Mahajan, Advocate, for respondent no.2.

HARPREET SINGH BRAR, J (ORAL)

1. Prayer in the present petition is for quashing of FIR no.13 dated 18.02.2021 registered under Sections 306 read with Section 34 IPC at PS Ghuman Kalan District Gurdaspur and order dated 31.08.2022 passed by Id. JMIC, Gurdaspur in case Untraced/Cancellation Report UCR No.75-2022 dated 08.06.2022 titled as State through Sucha Singh v. Sucha Singh.
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, he confines his prayer to the extent that petitioner no.1 is aged father-in-law and petitioner no.2 is brother-in-law of the daughter of respondent no.2 and attending trial on each and every date would cause great hardship and inconvenience to them. Therefore, he prays for exemption from personal appearance of the petitioners from the trial Court.



3. In view of the above, present petition stands dismissed as withdrawn with liberty as aforesaid.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 his 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.
- attending the trial on each and every date.

01.08.2024
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No