



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

**CRM-M-12244-2021 (O&M)
Date of Decision: 23.10.2024**

KAMLESH KAUR AND ANOTHER

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sandeep Arora, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of Cr.P.C. seeking quashing of FIR No. 41 dated 28.04.2019 registered under Sections 323, 406 and 498-A of Indian Penal Code read with Section 34 of IPC (Section 377 of IPC added later on) at Police Station Mehtiana, District Hoshiarpur as well as Challan (Annexure P-3) and all consequential proceedings arising therefrom.

2. Learned counsel for the petitioners 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 confines his prayer to the effect that petitioners are mother-in-law and sister-in-law of respondent No. 2 and they are household ladies 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 In view of the above, present revision petition stands dismissed as withdrawn with liberty as aforesaid.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.

23.10.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

AJAY GOSWAMI
2024.10.24 18:02
I attest to the accuracy and
authenticity of this order/judgment