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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14013-2024 (O&M)
Date of decision: 09.07.2024

Gopal Sharma

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rajat Verma, Advocate for
Mr. Harpal Singh Sidhu, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.46 dated 14.07.2021 under Sections 498-A, 406, 323, 506 of IPC, registered at Police Station Women Cell, Narnaul, Haryana and the subsequent proceedings initiated thereupon, including the charge sheet submitted before learned trial Court.

2. Learned counsel for the petitioner wishes to withdraw the present petition with liberty to raise all the pleas taken in the present petition before the learned trial Court at appropriate stage. However, he confines his prayer to the extent that the petitioner is senior citizen, aged about 83 years and he has been falsely implicated in the present case only being father of husband of



complainant-respondent No.2 and he is residing in Satnali, District Mahendergarh and trial of the FIR (*supra*) is progressing at Narnaul and attending trial on each and every date would cause great inconvenience and hardship to him and prays that personal appearance of the petitioner before learned trial Court may be exempted.

3. In view of the above, instant petition is dismissed as withdrawn with the liberty aforesaid.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***, personal appearance of the petitioner before learned trial Court is ordered to be exempted, subject to the following conditions:-

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

09.07.2024

vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No