

112

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17568-2024 (O&M)
Date of decision: 09.04.2024

Amarjit Kaur

... Petitioner

Vs.

State of Punjab and anr.

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ritesh Pandey, 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.197 dated 23.12.2022 under Sections 498-A & 406 of IPC, registered at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur and all the subsequent proceedings initiated thereupon.
2. Learned counsel for the petitioner wishes to withdraw the present petition with liberty to raise all the pleas taken in the present petition at appropriate stage during course of the trial. However, he confines his prayer to the extent that the petitioner is 66 years of age and attending trial on each and every date would cause great inconvenience and hardship to her and prays that

personal appearance of the petitioner before the learned trial Court may be exempted.

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 In view of the above, the instant petition is dismissed as withdrawn with the liberty aforesaid.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

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

09.04.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No