



123 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23643-2024
Date of decision: 10.05.2024

Ayush and othersPetitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gaurav Gupta, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.220 dated 09.09.2021 under Sections 406/498-A/323/313/506/34 of IPC (Annexure P-1) registered at Women Police Station NIT Faridabad and setting aside the impugned order dated 24.04.2023 (Annexure P-3) vide which the charges have been framed under Sections 406/498-A/323/313/506/34 of IPC by the learned Additional Sessions Judge, Faridabad.

Learned counsel for the petitioner does not press the present petition *qua* petitioner No.1, namely, Ayush, husband of respondent No.2.

Dismissed as having not been pressed *qua* petitioner No.1, namely, Ayush, husband of respondent No.2.

Learned counsel for the petitioners *inter alia* contends that the petitioners No.2 to 8 have been falsely implicated in the present case being family members of petitioner No.1 who is husband of respondent No.2. Learned counsel for the petitioners 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 during the course of trial. However, he confines his prayer to the extent of seeking exemption of petitioners No.2 to 8 from personal appearance before the learned trial Court as petitioners No.2 to 8 are family members of petitioner No.2 and they have no involvement in the marital life of

**CRM-M-23643-2024****-2-**

petitioner No.1 and respondent No.2, therefore, attending trial on each and every date would cause great hardship and inconvenience to them as well as affect their livelihood.

The instant petition is dismissed as withdrawn with the liberty aforesaid.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, the personal appearance of petitioners No.2 to 8 before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioners No.2 to 8 shall be represented through their counsel;
- ii) shall not delay/stall the trial proceedings;
- iii) shall not dispute their identity as accused;
- 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 trial Court as and when required; and
- vi) any other condition, which the trial Court may impose.

(HARPREET SINGH BRAR)
JUDGE

10.05.2024*Neha*

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