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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24449-2024 (O&M)
Date of decision: 16.05.2024

Suman

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Pankaj Bali, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.') for quashing of FIR No.745 dated 15.09.2021 under Sections 323, 354, 377, 406, 498-A, 506 of IPC, registered at Police Station City, Karnal (Annexure P-1) and chargesheet dated 11.08.2023 (Annexure P-7) as well as all the subsequent proceedings emanating therefrom.
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 household lady and she is aged about 70 years and is suffering from various age-related ailments 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 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 In view of the above, instant petition is dismissed as withdrawn with the liberty aforesaid.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 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.*

16.05.2024

vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No