

CRM-M-25468-2023 (O&M)
Date of decision: 14.02.2024

Rajni SharmaPetitioner

Versus

Bharat Khatana ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Abhishek Yadav, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

Learned counsel for the petitioner wishes to withdraw the present petition and he confines his prayer to the extent of seeking exemption of the petitioner from personal appearance before the learned trial Court as she is a lady residing in Gurugram. The trial is proceeding at Bhiwani and attending trial on each and every date before the learned trial Court would cause great inconvenience and hardship.

The instant petition is dismissed as withdrawn. 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 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.

(HARPREET SINGH BRAR)
JUDGE

14.02.2024
Neha

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