



127

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27960-2024 (O&M)
Date of decision: 29.05.2024

Salinder Kaur @ Sulinder Kaur and others

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Dinesh Nagar, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.47 dated 14.06.2023 under Sections 406 & 498-A of IPC, registered at Police Station Hajipur, District Hoshiarpur (Annexure P-1) and the order dated 09.01.2024 (Annexure P-2), vide which charges have been framed against the petitioners as well as all the subsequent proceedings initiated thereupon.
2. Learned counsel for the petitioners wishes wishes to withdraw the present petition with liberty to raise all the pleas taken in the present petition at the appropriate stage during course of the trial. However, he confines his prayer to the extent that petitioners No.1 & 2 are 59 and 61 years of age,



respectively and attending trial on each and every date would cause great inconvenience and hardship to them and prays that personal appearance of petitioners No.1 & 2 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 In view of the above, instant petition is dismissed as withdrawn with the liberty aforesaid.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 petitioners No.1 & 2 before learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioners No.1 & 2 will be represented through their counsel;*
- ii) will not delay/stall the trial proceedings;*
- iii) will not dispute their identity as accused;*
- iv) will have no objection if the prosecution evidence is recorded in their absence but in the presence of their counsel;*
- v) will appear before the trial Court as and when required; and*
- vi) any other condition, which the trial Court may impose.*

4. It is clarified that there will be no exemption from personal appearance of petitioner No.3.

[HARPREET SINGH BRAR]
JUDGE

29.05.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No