

CRM-M-26195-2019
Date of decision: 08.04.2024

...PETITIONERS

V/S

...RESPONDENTS

Present: Mr. Abhimanyu Singh, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Anupal Singh, Advocate for
Mr. Shiv Kumar, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.101 dated 06.05.2019 registered under Sections 323, 34, 498-A, 506 IPC at Police station Loharu and all the subsequent proceedings enumerated therefrom qua the petitioners.

2. Learned counsel for the petitioners wishes to withdraw the present petition and seeks liberty to raise all the pleas taken in the present petition at the appropriate stage during the trial. However, he confines his prayer to the extent that petitioner Nos.1 and 2 are senior citizens suffering from various ailments and petitioner Nos.3 and 4 are brother-in-law and bhabhi of respondent No.2, both are living separately and attending the trial at each and every date would cause great inconvenience and hardship to the petitioners.

3. The instant petition is dismissed as withdrawn with the liberty as prayed for. 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 petitioners before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioners 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.

April 08, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |