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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29528-2024 (O&M)
Date of decision: 01.07.2024

Balbir Singh Kular and another

... Petitioners

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sant Pal Singh Sidhu, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.397 dated 03.07.2020 under Sections 120-B, 354-A, 354-D, 406, 420, 498-A, 504, 467, 471 of IPC, registered at Police Station City Sirsa, District Sirsa and the subsequent proceedings initiated thereupon.
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. However, he confines his prayer to the extent that since the allegations against the petitioners, who are father-in-law and mother-in-law of respondent No.2-complainant, are generic in nature and lack specificity and even attending trial on each and every date would cause



great inconvenience and hardship to them, therefore, personal appearance of the petitioners 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 In view of the above, instant petition is dismissed as withdrawn with the liberty aforesaid.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 petitioners before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioners 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.*

01.07.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No