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**IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH****CRM-M-32994-2022 (O&M)****Date of Decision: 25.07.2024****GURMAIL SINGH AND ANOTHER****...Petitioners****V/S****STATE OF HARYANA AND ANOTHER****...Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Anmol Partap Singh Mann, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

None for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 482 of Cr.P.C. seeking quashing of FIR No. 274 dated 29.07.2021 (Annexure P-1) registered under Sections 323, 498-A, 509, 511, 376, 377, 354-A/34 of Indian Penal Code at Police Station City Dabwali, District Sirsa along with final report filed under Section 173 of Cr.P.C. (Annexure P-4) and all subsequent proceedings arising therefrom.

2. Learned counsel for the petitioners, after arguing for some time, wishes to withdraw the present petition and seeks liberty to take all the pleas raised in the present petition at the appropriate stage during the course of trial. However, learned counsel for the petitioners further submits that petitioners are father-in-law and mother-in-law of respondent No. 2 and they are residing at Jalandhar, whereas trial of the case is progressing at Sirsa and attending the trial on each and every date would cause great hardship and inconvenience to them. Therefore, he prays for exemption from personal appearance of the petitioners from the trial Court.



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3. In view of the above, present petition stands dismissed as withdrawn with liberty as aforesaid.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, 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 proceedings;
- (iii) shall not dispute their identity;
- (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 Court as and when required; and
- (vi) any other condition, which the Court below may impose.

25.07.2024

Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No