



228 **IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

**CRM-M-31945-2020 (O&M)
Date of Decision: 28.11.2024**

DHARAMBIR AND OTHERS

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

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

Ms. Geeta Sharma, DAG Haryana.

Mr. Rajesh Gupta, Advocate 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. 17 dated 22.03.2017 registered under Sections 498-A, 406, 34 of Indian Penal Code at Police Station Women, District Sonapat and the final report dated 27.05.2017 under Section 173 Cr.P.C. presented in FIR(supra).

2. Learned counsel for the petitioners submits that in view of the fact that out of total 13 prosecution witnesses, 11 have already been examined, he 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 confines his prayer to the effect that petitioner No. 1 is senior citizen, whereas petitioners No. 2 and 3 are household ladies and attending 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 No. 1, 2 and 3 from the trial Court.



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3. In view of the above, present revision petition stands dismissed as withdrawn with liberty as aforesaid.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 No. 1, 2 and 3 i.e Dharambir, Darshna and Poonam, before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- (i) petitioners No. 1, 2 and 3 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.

28.11.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No