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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35627-2024 (O&M)
Date of decision: 22.08.2024

Mandeep Kaur and others

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Veer Imaan Singh Gill, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

Mr. P.S. Ahluwalia, Advocate and
Mr. Jaiveer Singh, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking quashing of FIR No.97 dated 17.11.2023 under Sections 406 & 498-A of the Indian Penal Code, 1860 (for short 'IPC') (Sections 323, 506, 201 of IPC added subsequently), registered at Women Police Station, District SAS Nagar (Mohali) and final report under Section 173 Cr.P.C. dated 18.05.2024 (Annexure P-2) as well as all the subsequent proceedings arising therefrom.
2. Learned senior counsel for the petitioners wishes to withdraw the



present petition with liberty to raise all the pleas taken in the present petition at the appropriate stage during the course of trial. However, he confines his prayer to the extent that the petitioners are family members of husband of the complainant and they have been entangled in this case only due to their relationship and attending trial on each and every date would cause great inconvenience and hardship to them and prays that 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 In view of the above, instant petition is dismissed as withdrawn with the liberty aforesaid.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 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.*

22.08.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No