

2024:PHHC:052554

215IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-42092-2021 (O&M)
Date of Decision: 19.04.2024

VIKASH KUMAR AND OTHERS

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manoj Tanwar, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in the present petition is for quashing of FIR No. 236 dated 23.08.2021 registered under Sections 498-A, 406, 323, 314, 506 and 34 of Indian Penal Code at Police Station Hathin, District Palwal.
2. Learned counsel for the petitioners seeks permission for withdrawing the present petition with liberty to raise all the pleas taken in the present petition at the appropriate stage during the course of the trial. Learned counsel further submits that petitioners No. 2 and 3 are mother-in-law and father-in-law of the complainant-respondent No. 2 respectively, and both of them are old age persons and attending trial on each and every date would cause great hardship and inconvenience to them and prays for personal exemption of the petitioners No. 2 and 3 from the trial of the case.
3. In view of the above, present petition stands dismissed as withdrawn with liberty as aforesaid.
4. 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

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No. 2 and 3 before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- (i) they 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.

5. Pending CRM(s), if any, are also disposed of accordingly.

19.04.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No