

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

CRM-M-38893-2023
Date of decision: 02.09.2024

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Mr. Ranjan Lakhanpal, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.402 dated 28.11.2017 under Sections 406/498-A of IPC registered at Police Station Zirakpur, District SAS Nagar and all consequential proceedings arising therefrom.

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 of seeking exemption of petitioner No.2 from personal appearance before the learned trial Court as she is 62 years old household lady and resident of Zirakpur, therefore, attending trial on each and every date would cause great hardship and inconvenience to her as well as affect her livelihood.

The instant petition is dismissed as withdrawn with the liberty aforesaid. However, in view of the ratio laid down by this Court in CRM-M-

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25963-2023 titled as 'Suresh Kumar and another Vs. The State of Haryana and another' 2023 (2) Law Herald 1498, the personal appearance of petitioner No.2 before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioner No.2 shall be represented through her counsel;
- ii) shall not delay/stall the trial proceedings;
- iii) shall not dispute her identity as accused;
- iv) shall have no objection if the prosecution evidence is recorded in her absence but in the presence of her counsel;
- v) shall appear before the trial Court as and when required;
and
- vi) any other condition, which the trial Court may impose.

(HARPREET SINGH BRAR)
JUDGE

02.09.2024*Neha*

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