

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

CRM-M-39670-2024
Date of decision: 14.08.2024

Puneet Kaur

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Surinder Garg, Advocate
for the petitioner.

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

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.240 dated 15.08.2020 under Sections 406/498-A/307/323/149 of IPC (whereas challan has been presented under Sections 406/498-A/323 of IPC) registered at Police Station City Malout, District Sri Muktsar Sahib and order dated 20.09.2023 (Annexure P-2) framing charges along with all subsequent proceedings.

Learned counsel for the petitioner 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 the petitioner from personal appearance before the learned trial Court as the petitioner is the unmarried sister-in-law of respondent No.2 and she has been dragged in the controversy only for a reason that she is sister of husband of respondent No.2 and being a lady it would be difficult for her to attend trial on each and every date which would cause great



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hardship and inconvenience to her.

The instant petition is dismissed as withdrawn with the liberty aforesaid.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-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 petitioner before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioner 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

14.08.2024

Neha

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