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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44239-2024 (O&M)
Date of decision: 09.09.2024

Manohar Lal and another

... Petitioners

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Namit Khurana, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.264 dated
22.03.2024 under Sections 323, 498-A, 506, 406 of IPC, registered at Police
Station Yamuna Nagar City, District Yamuna Nagar and the subsequent
proceedings initiated thereupon.
2. Learned counsel for the petitioners wishes to withdraw the present
petition with liberty to raise all the pleas taken in the present petition before
learned trial Court during course of the trial. However, he confines his prayer
to the extent that the petitioners are 68 years and 64 years of age and they are
father-in-law and mother-in-law of respondent No.2, respectively and are



residing in District Hoshiarpur (Punjab) and trial of FIR (*supra*) is progressing at Yamuna Nagar (Haryana), therefore, 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 In view of the above, instant petition is dismissed as withdrawn with the liberty aforesaid.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.*

09.09.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No