



215 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
 CHANDIGARH
 CRM-M-50453-2022 (O&M)
 Date of Decision: 08.11.2024
MANPREET SINGH AND ANOTHER

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Shailendra Sharma, Advocate
 for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

The petitioners are seeking quashing of FIR No. 0001 dated 01.10.2022 registered under Sections 323/406/498-A/506/34 of Indian Penal Code at Police Station Kheri Nodh Singh, District Fatehgarh Sahib.

Learned counsel for the petitioners wishes to withdraw the present petition and seeks liberty to take all the pleas raised in the present petition at the appropriate stage during the course of trial. However, learned counsel for the petitioners confines his prayer to the effect that petitioner No. 1 is serving in Indian Army and presently he is posted at Gujarat and petitioner No. 2 is a household lady and resident of Ludhiana, whereas the trial of the case is progressing at Fatehgarh Sahib and attending trial on each and every date would cause great hardship and inconvenience to the petitioners. Therefore, he prays for exemption from personal appearance of the petitioners from the trial Court.

4. In view of the above, present revision petition stands dismissed as withdrawn with liberty as aforesaid. However, in view of the ratio laid down by



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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 before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- (i) petitioners 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.

08.11.2024

Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No