

2024:PHHC:043613

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IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-48739-2023 (O&M)
Date of Decision: 02.04.2024

SHEELA WANTI ALIAS SUSHILA AND ANOTHER

...Petitioners

V/S

UT CHANDIGARH AND ANOTHER

...Respondents

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Srishti S. Sharma, Advocate for
Mr. Anirudh Singh Shera, Advocate
for the petitioners.

Mr. Vivek Singla, APP UT Chandigarh.

HARPREET SINGH BRAR J. (Oral)

Prayer in the present petition filed under Section 482 of Cr.P.C. is for quashing the FIR No. 0050 dated 09.05.2022 under Sections 406, 498-A of Indian Penal Code registered at Police Station Women Police Station District Chandigarh.

Learned counsel appearing for the petitioners wishes to withdraw the present petition and seeks liberty to raise all the pleas taken in the present petition at the appropriate stage during the course of the trial. However, learned counsel confines his prayer to the extent that petitioners are house hold ladies and petitioner No. 2 is of 78 years of age and attending trial on each and every date would cause great inconvenience and hardship to them as the trial is pending at Chandigarh and both the petitioners are residents of District Sonipat.

In view of the above present petition is dismissed as withdrawn with liberty as aforesaid.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

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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.

02.04.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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