

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

CRM-M-49471-2024
Date of decision: 03.10.2024

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Ms. Geeta Sharma, DAG, Haryana.

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.205 dated
06.06.2023 under Sections 323/354-A/498-A/377/406 of IPC registered at
Police Station Bilaspur, District Yamuna Nagar (Annexure P-1) and all
consequential proceedings arising therefrom including challan (Annexure P-5)
against the petitioners.

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 during the course of trial. However, he confines his prayer to the extent of seeking exemption of the petitioners from personal appearance before the learned trial Court as the petitioners are father-in-law and mother-in-law of respondent No.2 and they have been falsely implicated in the present case for the reason that they are parents of the husband of respondent No.2. He further submits that respondent No.2 has already left India for the purpose of settling abroad and attending trial for the



petitioners on each and every date would cause great hardship and inconvenience to them as well as affect their 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The instant petition is dismissed as withdrawn with the liberty aforesaid.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-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 trial proceedings;
- iii) shall not dispute their identity as accused;
- 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 trial Court as and when required; and
- vi) any other condition, which the trial Court may impose.

(HARPREET SINGH BRAR)
JUDGE

03.10.2024
Neha

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