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

CRM-M-51608-2024

Date of decision: 19.10.2024

Satwinder Kaur

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Rishu Mahajan, Advocate
for the petitioner.

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

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 of Cr.P.C. seeking issuance of necessary directions to the Court below to conclude the trial in a time bound manner and to comply with the provisions of Section 160 Cr.P.C.

Learned counsel for the petitioner *inter alia* contends that petitioner is household lady of 69 years of age. The FIR (*supra*) was registered on 03.09.2016 and the charges were framed on 26.10.2022. He relies upon the various zimini orders (Annexure P-2) and submits that the prosecution witnesses are not appearing and trial is being delayed, as such, the petitioner has been subjected to undue inconvenience and harassment as she is suffering from various ailments and appears on each and every date despite being resident of Ludhiana, whereas, the trial of the case is pending at Jalandhar. He further submits that respondent No.7 who is the complainant in the FIR is giving false complaints to the jurisdictional police authorities as and when the petitioner appears before the learned trial Court. On 09.08.2024, last complaint was made and petitioner was summoned by the local police in spite of the fact that the FIR has already been registered and the same is pending trial.

Notice of motion.

Mr. Subhash Godara, Addl.A.G., Punjab puts in appearance and accepts notice on behalf of the official respondents-State.

The learned State counsel submits that the jurisdictional police

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authorities are bound to comply with the provisions of Section 160 Cr.P.C. and they would not unnecessarily harass the petitioner.

Having heard learned counsel for the parties, it transpires that the petitioner is 69 years of age and FIR in question was registered in the year 2016 and till date, the trial has not been concluded and petitioner is attending the trial on each and every date.

In view of the above, the present petition is disposed of accordingly and 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

19.10.2024*Neha*

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