

2024:PHHC:049306

232IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-52296-2019 (O&M)
Date of Decision: 10.04.2024

OM PARKASH BHARDWAJ AND ANOTHER

...Petitioners

V/S

STATE OF HARYANA

...Respondent

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Punit Malik, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

HARPREET SINGH BRAR J. (Oral)

Prayer in the present petition filed under Section 482 of Cr.P.C. is for quashing of the FIR No. 163 dated 08.06.2017 registered under Sections 498-A, 354-D, 506, 406, 34 of Indian Penal Code at Women Police Station Gurugram.

Learned counsel for the petitioners *inter alia* contends that petitioners are father-in-law and mother-in-law respectively, of the complainant-respondent No. 2 and they are residing at Agra and has no involvement with the marital life of their son and respondent No. 2, as they are residing at Delhi. Learned counsel for the petitioners seeks permission for withdrawing the present petition with liberty to raise all the pleas taken in the present petition at the appropriate stage during the course of the trial.

Learned counsel for the petitioners, however, submits that petitioners are residents of Agra and trial of the FIR(supra) is progressing at Gurugram and both the petitioners are senior citizens and attending trial on each and every date would cause great hardship and inconvenience to the petitioners.

In view of the above, the present petition stands dismissed as withdrawn with liberty as aforesaid.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

10.04.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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