



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

131

CRM-M-12227-2025 (O&M)
Date of decision: 05.03.2025

Satyavir Gautam and another

....Petitioners

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vivek Singla, Advocate
for the petitioners.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

Prayer in this petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for quashing of FIR No.244 dated 24.07.2024 registered under Sections 115, 3(5), 79 of BNS, 2023 at Police Station Murthal, District Sonapat (Annexure P-1) and all other consequential proceedings arising therefrom including the final report dated 04.09.2024 (Annexure P-6).

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. 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 senior citizens and therefore, attending trial 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The instant petition is dismissed as withdrawn with the liberty aforesaid.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 “*Suresh Kumar and another vs. The State of Haryana and another*”, 2023 (2) Law Herald 1498, the personal appearance of both 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

05.03.2025
yakub

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