



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

CRM-M-29855-2025

Date of Decision: 27.05.2025

Indu Bala

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Ms. Vardhini Gupta, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of B.N.S.S with a prayer to issue appropriate directions to Trial Court to decide the application filed by the petitioner under Section 228 of B.N.S (205 of Cr.P.C) for grant of exemption from personal appearance permanently.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in a case arising out of FIR No.47, dated 02.03.2019, under Sections 307,325,326,148,149,467,468,471,120-B of IPC, Police Station Division No.6, Ludhiana. She next contends that the petitioner had filed a petition for quashing of FIR before this Court on 23.07.2024 (Annexure P-2) and the following order was passed by this Court:-

“1.After arguing at length, learned counsel for the petitioner wishes to withdraw the present petition with liberty to raise all the arguments, before the learned trial Court at an appropriate stage.

2. Dismissed as withdrawn with liberty aforesaid.

3. Learned counsel for the petitioner submits that the

petitioner is a mother of a minor child and also working in Labour Department and due to this reason, she is unable to attend the trial Court proceedings.

4. In case, the petitioner moves an application for exemption from personal appearance, the same shall be considered by the trial Court sympathetically”.

She further contends that after passing of the order (Annexure P-2) by this Court, the petitioner moved an application for permanent exemption and the said application is stated to be pending till date. Learned counsel for the petitioner has annexed various zimni orders passed by the Trial Court on different dates and it is apparent that the application moved by the present petitioner, still remains undecided. She further contends that the petitioner is a single mother and has to take care of her minor daughter, who aged about 06 years.

3. Notice of motion.

4. On the asking of the Court, Mr. I.P.S Sabharwal, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and has no serious objection to the prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and perused the record carefully.

6. From the record, it is apparent that the petitioner had moved an application for permanent exemption from personal appearance on 25.07.2024. Thereafter, on numerous dates, the case has been taken up by the Trial Court, but surprisingly, the application in question has not been decided by the Trial Court.

7. Consequently, the Trial Court is directed to decide the application moved by the petitioner within a period of one month from today.

8. Disposed of.

27.05.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No