

2025:PHHC:117115



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

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**CRM-33818-2025  
in/and CRM-M-42824-2025 (O&M)  
Date of Decision: 01.09.2025**

**TARUBRATA MUKHERJEE**

... Petitioner

VERSUS

**STATE OF HARYANA**

... Respondents

**CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Vimal Kumar Gupta, Advocate and  
Mr. Mukul Bura, Advocate for the petitioner.

Mr. Ved Parkash, Sr. DAG Haryana.

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**SHALINI SINGH NAGPAL, J. (ORAL)**

**CRM-33818-2025**

This is an application for preponing the main case, which is fixed for 25.09.2025.

In view of the averments made in the application, same is allowed and the main case is taken on board today itself.

**CRM-33819-2025 and CRM-M-42824-2025**

In the petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita (B.N.S.S.), 2023 the prayer is for quashing impugned order dated 19.05.2025, passed by learned Judicial Magistrate First Class, Gurugram, in FIR No.59 dated 25.04.2023, under Sections 323, 34, 354, 498-A, 506 and 509 IPC, registered in Police Station Women West, Gurugram, District Gurugram.



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Learned counsel for the petitioner submits that the petitioner could not appear in the Court of learned JMIC Gurugram on 19.05.2025, as he was suffering from depressive disorder and psychosis. He further submits that the petitioner had to come to Gurugram on each and every date of hearing from West Bengal and order dated 19.05.2025 caused immense hardship to him. He urged that petitioner was willing to surrender in the Court and ready to face trial. He further submits that in connected CRM-M-43646-2025, the petitioner was directed to surrender before the trial Court, move an application for regular bail, which learned trial Court was ordered to decide the same day and till then, arrest of the petitioner was stayed. Learned counsel for the petitioner submits that since both the matters are connected, therefore, similar directions may be issued in the present case as well.

Learned State counsel submits that filing of the connected petition, which was fixed for 25.09.2025, has not been disclosed in the present petition and resists the prayer.

Petitioner, who was facing trial in case vide FIR No. 59 dated 25.04.2023, under Sections 323, 34, 354, 498-A, 506 and 509 IPC, registered in Police Station Women West, Gurugram, District Gurugram, moved an application before learned Judicial Magistrate Ist Class, Gurugram, on 17.05.2025 praying for exemption from personal appearance, which learned JMIC, Gurugram, declined on the ground that it was a discretionary relief to be exercised only in exceptional circumstances. Petitioner is now ready to

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surrender in the Court. Trial cannot proceed unless the petitioner joins the proceedings.

In these circumstances, petitioner is directed to surrender before the trial Court within a period of one week from today and move an application for regular bail, which learned trial Court shall decide the same day.

Till then, no coercive steps shall be taken against the petitioner.

Present petition along with CRM-33819-2025 is disposed of on aforesaid terms.

**(SHALINI SINGH NAGPAL)**  
**JUDGE**

**SEPTEMBER 01, 2025.**

*Ajay Goswami*

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