

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

CRM No.M-20442 of 2017

Date of decision: 08.08.2017

Krishna Devi

...Petitioner

Versus

Swaran Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Lalli, Advocate for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

The petitioner prays for quashing of criminal complaint No.132 dated 17.10.2013 filed under Sections 406, 420, 506 read with Section 34 IPC; summoning order dated 12.06.2015 and charge-sheet dated 10.05.2017.

At the very outset, learned counsel for the petitioner restricts his arguments only to the extent of seeking exemption of personal appearance of the petitioner on the ground that she is a 70 years old lady. The petitioner along with her son i.e. co-accused – Rajpal Singh are facing the trial in the aforesaid criminal complaint. The trial Court has already summoned the petitioner vide order dated 12.06.2015 and thereafter, charges have been framed on 10.05.2017.

Since, conclusion of the trial may take some time and considering the fact that son of the petitioner i.e. co-accused – Rajpal Singh is already facing the trial, personal appearance of the petitioner shall remain exempted on filing an application under Section 205 Cr.P.C. before the trial Court. The trial Court shall grant exemption to the petitioner – Krishna Devi from personal appearance on the condition that she will be represented through her counsel and will not

object to any evidence being produced during the course of trial by the complainant and she will appear before the trial Court as and when required for the purpose of admission or denial of any documents. However, it will be open for the trial Court to seek personal appearance of the petitioner, if her counsel do not co-operate or fail to appear on her behalf.

Disposed of accordingly.

08.08.2017

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**(ARVIND SINGH SANGWAN)
JUDGE**