

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

CRM-M-36516-2014

Date of decision: 19.01.2017

Ramandeep Kaur @ Simmi and another

...Petitioner

Versus

Kamaljit Kaur

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. B.S. Bhalla, Advocate,
for the petitioners.

Ritu Bahri, J.

Petitioners are seeking quashing of Complaint No.189 dated 10.06.2010, titled as Kamaljit Kaur Vs. Navdeep Singh etc., under Section 406 and 498-A IPC (Annexure P-3) and summoning order dated 25.07.2013 (Annexure P-4) passed by the Judicial Magistrate Ist Class, Moga, on the ground that they are sister-in-law and brother-in-law (*jeth & jethani*) of complainant-respondent No.2.

Marriage of the petitioners was solemnized on 03.10.2002, whereas complainant-respondent No.2 got married to the younger brother of petitioner No.2 on 25.01.2009.

Notice of motion was issued in this case on 28.10.2014. However, after service, none has put in appearance on behalf of respondent No.2-complainant to represent her case.

At this stage, the present petition is disposed of by giving liberty to the petitioners to take all the pleas before the trial Court. However, personal appearance of petitioners before the trial Court is exempted subject to the following conditions:-

(i) petitioners shall be represented through 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 learned trial Court may impose.

19.01.2017
ajp

(RITU BAHRI)
JUDGE

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