

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

**Crl. Misc. No. M-6550 of 2017
Date of decision : 28.02.2017**

Surinder Kaur
State of Punjab and anr.

versus

....Petitioner
...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Harjeet Savra, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Prayer in this petition is for quashing of F.I.R No. 23 dated 05.09.2013 under Sections 406/498-A IPC, registered at P.S NRI, District Hoshiarpur.

Learned counsel submits that petitioner is mother-in-law of the complainant, who has married to the son of the petitioner. Thereafter, complainant got exparte decree of divorce on 14.03.2014. After ex parte decree of divorce, complainant was remarried to one Virender Singh. F.I.R has been registered against the present petitioner on the ground of cruelty and misappropriation of dowry articles.

Learned counsel submits that F.I.R registered against the petitioner is an abuse of process of law, as the Court below while granting anticipatory bail to the petitioner has categorically held that recovery of dowry articles have been effected from the petitioner and thereafter, she was granted bail.

Keeping in view the above facts and circumstances of the case, the present petition is being disposed of by exempting the personal appearance of the petitioner before the trial Court, subject to the following conditions:- (i) petitioner shall be represented through counsel; (ii) shall not delay/stall the trial proceedings; (iii) shall not dispute her identity as an accused; (iv) shall have no objection if the prosecution evidence is recorded in her absence but in the presence of her counsel; (v) shall appear before the trial Court as and when required by the trial Court; and (vi) any other condition which the learned trial Court may impose.

Further petitioner is at liberty to take all the pleas before the trial Court.

28.02.2017
G Arora

**(RITU BAHRI)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>

