

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

**CRM-M No.10199 of 2019 (O&M)
Date of Decision: 12.07.2019**

Manjit Kaur and others

.....Petitioners

Versus

Parminder Singh

.....Respondent

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Rajesh K. Dadwal, Advocate for the petitioners.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing the impugned complaint bearing COMI/88/2017 dated 06.07.2017 (P-5), under Sections 323, 427, 506, 148, 149, IPC along with summoning order dated 08.06.2018 (P-7), passed by learned Judicial Magistrate 1st Class, Hoshiarpur.

Learned Counsel for the petitioners, instead of challenging the impugned summoning order, has confined his prayer only upto the extent that petitioners be exempted from personal appearance before learned trial Court uptill the stage of recording the statement under Section 313 Cr.P.C.

Prayer seems to be justified and accepted partly.

In view of above, present petition is disposed off with liberty to petitioner Nos.1, 5 and 8 to 10, being females, to appear through their Counsel before learned trial Court uptill the stage of recording their statements under Section 313 Cr.P.C. However, it is made clear that in case any adverse order is

passed against them due to their exemption, they shall not raise any grievance regarding the same, subject to the following conditions:-

- (i) *petitioner Nos.1, 5 and 8 to 10 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 learned trial Court as and when required;*
- (vi) *any other condition which the learned trial Court may impose.*

It is also clarified that petitioner(s) shall fully co-operate with the learned trial Court and shall not seek any unnecessary adjournment(s).

Learned trial Court is requested to expedite the proceedings at the earliest.

July 12, 2019

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

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