

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

CRM-M-18535-2017 (O&M)

Date of decision: 17.07.2019

Meena Rani

...Petitioner

Versus

Punjab National Bank

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Anil Chawla, Advocate
for the petitioner.

Mr. D. K. Gupta, Advocate
for the respondent.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for quashing of the complaint bearing No. 3897 dated 29.11.2014 titled as “**Punjab National Bank vs. Meena Rani**”, filed under Section 138 of the Negotiable Instruments Act, pending before JMIC, Amritsar, along with all consequential proceedings arising therefrom.

After arguing for some time, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to the petitioner to move an application for discharge along with all the supporting documents and submits that personal appearance of the petitioner before the trial Court may be exempted permanently during pendency of the trial in view of the judgment of the Hon’ble Supreme Court in *M/s Meters and Instruments Private Limited and anr. Vs. Kanchan Mehta, 2017 (4) RCR (Crl.) 476*.

After hearing learned counsel for the petitioner, this petition is

disposed of, by granting exemption from personal appearance to the petitioner before the trial Court, subject to the following conditions: -

- (i) *she will appear before the trial Court and the trial Court will release her on bail, in case she has not appeared so far;*
- (ii) *she will be represented by a counsel;*
- (iii) *she will not delay/stall the proceedings of the trial Court;*
- (iv) *she will not dispute her identity as accused;*
- (v) *she will have no objection if the prosecution evidence is recorded in her absence but in presence of her counsel;*
- (vi) *she will appear before the trial Court as and when required by the trial Court and any other condition which the trial Court may impose.*

In case the petitioner files an application for discharge within a period of 15 days from today, the trial Court will decide the same on merits, expeditiously in accordance with law, preferably within a period of three months from the date of receipt of certified copy of this order.

Liberty is granted to petitioner to file a fresh petition, if so required.

Disposed of, accordingly.

17.07.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No