

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

CRM-M-21878-2019

Date of decision: May 14, 2019

Neeru Khanna

....Petitioner

Versus

Manish Kumar Zakhmi

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sandeep Arora, Advocate
 for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer made in this petition is for quashing of Complaint No.NACT 55/2019 dated 8.3.2019 titled as “Manish Kumar Zakhmi Vs. Neeru Khanna” pending in the Court of SDJM, Sardulgarh, District Mansa and the summoning order dated 16.3.2019 as well as all the subsequent proceedings arising therefrom.

Counsel for the petitioner, at the very outset, 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 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 another Vs. Kanchan Mehta, 2017 (4) RCR (Criminal), 476.**

After hearing 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; and
- (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 file an application for discharge within a period of 15 days from today, the trial Court will decide the same on merits expeditiously, preferably within a period of three months from the date of receipt of certified copy of this order.

Liberty is granted to the petitioner to file a fresh petition in case an adverse order is passed by the trial Court.

Disposed of, accordingly.

(ARVIND SINGH SANGWAN)
JUDGE

May 14, 2019
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