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

CRM-M-41093 of 2019

Date of decision: September 24, 2019

Gayatri Sharma

.....Petitioner

Versus

Bikramjeet Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Parminder Singh, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 482 of Code of Criminal Procedure, 1973 for quashing of complaint No.NACT 259/2019 titled as “Bikramjeet Singh Vs. Gayatri Sharma” under Section 138 of the Negotiable Instruments Act, 1881 (P-7) as well as summoning order dated 25.07.2019 (P-8).

After arguing for some time, learned counsel for the petitioner wishes to withdraw the present petition with liberty to take recourse to the remedy available before learned trial Court. He also makes a request that personal appearance of the petitioner, before learned trial Court, be exempted.

Dismissed as withdrawn with liberty aforesaid.

However, personal appearance of the petitioner, before the learned trial Court, shall remain exempted, until the stage of recording of statement under Section 313 of Code of Criminal Procedure, 1973, subject to following conditions, but it is made clear that in case any

adverse order is passed against her, she shall not raise any grievance for the same:-

- (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 learned trial Court as and when required;
- (vi) Any other condition which the learned trial Court may impose.

(MAHABIR SINGH SINDHU)
JUDGE

September 24, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No