

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

CRM-M-3096-2022

Date of decision : 07.02.2022

Harjeet Kaur

.....Petitioner

versus

Mandeep Kaur and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sandeep Gahlawat, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Prayer in the present petition is to quash the complaint under Section 12 of the Protection of the Women from Domestic Violence Act, 2005 bearing No.COMA-34 of 2018 titled as “Mandeep Kaur Vs. Jagjit Singh etc.” (Annexure P-2) dated 29.10.2018 filed by respondent against the petitioner and her co-accused and all consequent proceedings arising therefrom.

After arguing for some time, learned counsel for the petitioner submits that he may be allowed to withdraw the present petition with liberty to avail any other remedy available to the petitioner as per law. He has further submitted that the petitioner is a disabled person having 50% disability which is clear from disability certificate (Annexure P-1) filed with the petition. He has requested to consider his request for granting exemption from personal appearance to the petitioner during trial of the abovesaid complaint.

The prayer made appears to be genuine one.

Present petition is dismissed as withdrawn with liberty aforesaid granted.

In the meanwhile, the trial Court is directed to consider the application moved by the petitioner for the grant of exemption from her personal appearance during trial subject to her filing affidavit to the following effect:-

1. She will have no objection if the statements of witnesses are recorded in her absence but in the presence of her counsel.
2. That she will appear before the trial Court as & when required to do so by it.
3. That she will abide by any other condition imposed by the trial Court while granting her exemption from personal appearance.

07.02.2022
m. sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No