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

CRM-M-24219-2022

Date of decision : 06.07.2022

Tammana Lakshmi Kalyani @ Lakshmi Kalyani Tammana

...Petitioner

Versus

M/s Prism Johnson Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ankush Chowdhary, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of complaint bearing No.9034 of 2019 instituted on 11.03.2019 titled as M/s Prism Johnson Limited Vs. M/s Whitemen Constructions Pvt. Ltd. & Ors. under Sections 138, 141, 142 of the Negotiable Instruments Act, 1881 and all the subsequent proceedings arising therefrom including summoning order dated 21.01.2020 (Annexure P-2).

After arguing for sometime, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition with liberty to the petitioner to take up all the points as raised in the present petition and available to her, at the relevant stage before the trial Court.

In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.

Learned counsel for the petitioner has further made a prayer that the petitioner is a 55 year old lady and is a resident of Andhra Pradesh whereas the proceedings in the present case are going on in the District Gurugram, Haryana and thus, prays that her personal appearance before the trial Court may kindly be exempted.

Keeping in view the abovesaid facts as stated by learned counsel for the petitioner to the effect that the petitioner is a 55 year old lady and is a resident of Andhra Pradesh whereas the proceedings are going on in District Gurugram, Haryana, thus, the personal appearance of petitioner before the trial Court is exempted, subject to the following conditions:-

- i) Petitioner shall be represented through her counsel;
- ii) shall not delay/stall the trial proceedings;
- iii) shall not dispute her identity as accused;
- iv) shall have no objection if the prosecution evidence is recorded in her absence, but in the presence of her counsel and will never raise a plea either before the trial Court or in appeals/revisions etc. that the prosecution evidence has been recorded in her absence or the proceedings have been conducted in her absence;
- v) shall appear before the trial Court as and when required by the trial Court;
- vi) any other condition which the trial Court may impose.

06.07.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**