

Neutral citation No.:2023:PHHC:066723
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-48400-2018

Date of Decision: 09.05.2023

Sukhdev Kaur and another

....Petitioners

Versus

Sukhdev Singh

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. K.S. Dadwal, Advocate for the petitioners.

Mr. R. K. Chauhan, Advocate for the respondent.

ANOOP CHITKARA, J.

Seeking quashing of the complaint No.76 dated 06.04.2015 pending before the Sub Divisional Judicial Magistrate, Dasuya as well as summoning order dated 17.09.2018 u/Ss 420, 465, 467, 468, 471, 120-B IPC and all subsequent proceedings, the petitioners had come up before this Court way back in the year 2018.

2. Petitioners' counsel submits that he would be contended and satisfied in case, petitioners' presence is exempted before the trial Court and they may be given liberty to raise all the points at the time of final hearing before the trial Court.

3. Given above, the petitioners are exempted to appear before the trial Court except on the date when the trial Court wants their appearance for identification, at the time of framing of charges if not framed, at the time of 313 CrPC if the stage arises, 315 CrPC if the petitioners so desire and at the time of final judgment. The trial Court may ask for the presence of the petitioner-accused on any other date by passing a separate order.

4. Petition is disposed of with the observation above with further liberty to raise all the points before the trial Court, mentioned in the present petition apart from additional points if any. Petitioners are also permitted to file written submissions before the trial Court. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

09.05.2023

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Whether speaking/reasoned

Yes/no

Whether reportable?

Yes/no