

In the High Court of Punjab and Haryana at Chandigarh

2023:PHHC:044564

CRM-M-29562 of 2022

Date of Decision: 27.03.2023

Ankit Gupta and others

---Petitioners

versus

State of Punjab and another

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Rakesh Nehra, Senior Advocate with
Mr. Ankit Yadav, Advocate
Mr. Vijay Pal, Advocate
Mr. Amit Sahni, Advocate
for the petitioner
Mr. Amish Sharma, AAG, Punjab, AAG, Punjab
Mr. Ashok Singla, Advocate
for the complainant

JAGMOHAN BANSAL, J. (ORAL)

The petitioners through instant petition under Section 482 Cr.P.C. are seeking quashing of Complaint No. COMA/6/2022 dated 3.2.2022 (Annexure P-16), under Sections 12 of the Protection of Women from Domestic Violence Act, 2005 (for short “D.V.Act”) pending before SDJM, Khanna.

Learned Senior counsel for the petitioners, on being confronted with the fact that the trial Court has not passed any adverse order, prays that personal appearance of the petitioners may be exempted and their right to challenge any adverse order passed against them may be protected.

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Without commenting on merits of the case, the petition is disposed of with following directions :

- i) Personal appearance of the petitioners before trial Court shall remain exempt;
- ii) The petitioners shall remain present as and when specifically called by the trial Court;
- iii) The petitioners shall not raise any grouse on the sole ground of his absence, if any adverse order is passed against the petitioners;

The petitioners shall be at liberty to raise all the pleas before the trial Court and avail remedies as permissible by law, if any adverse order is passed against them.

(JAGMOHAN BANSAL)
JUDGE

27.03.2023

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Whether speaking/reasoned : Yes

Whether reportable : Yes/No