

In the High Court of Punjab and Haryana at Chandigarh

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2023:PHHC:041833

CRM-M-36230 of 2022

Date of Decision: 22.03.2023

Sudeep Rana

---Petitioner

versus

Sushil and another

---Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Ravinder Rana, Advocate for
Mr. Vivek Khatri, Advocate
for the petitioner

Mr. Amish Sharma, AAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

The petitioner, through instant petition under Section 482 Cr.P.C., is seeking quashing of Complaint No. D.V.Act/104/2020 dated 14.07.2020 titled as “Sushil and another vs. Sudeep Rana and others”, under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short “D.V.Act”) which is pending before Judicial Magistrate Ist Class, Hissar.

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

Without commenting on merits of the case, the petition is

disposed of with following directions :

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

22.03.2023

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Whether speaking/reasoned : Yes

Whether reportable : Yes/No