



125

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

CRM-M-26824-2024

Date of decision: 24.05.2024

Raj Kumar and others

....Petitioners

Versus

Usha Rani alias Usha Khanna and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. J.S. Jaidka, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of impugned complaint titled as 'Usha Rani Vs. Puneet Khanna and others' bearing COMI No.108/2022 (Annexure P-1) and summoning order dated 05.04.2024 (Annexure P-2) issued in this impugned complaint as the impugned complaint has been filed falsely and frivolously.

Learned counsel for the petitioners wishes to withdraw the present petition with liberty to raise all the pleas taken in the present petition before the learned trial Court at appropriate stage during the course of trial. However, he confines his prayer to the extent of seeking exemption of the petitioners from personal appearance before the learned trial Court as the petitioners are related to Puneet Khanna, who is son of the complainant/respondent No.1 and due to the property dispute all and sundry members of Puneet Khanna's in-laws family have been implicated as accused otherwise, the petitioners have no involvement

**CRM-M-26824-2024****-2-**

in the dispute and as the two of the petitioners are household ladies, attending trial on each and every date would cause great hardship and inconvenience to them as well as affect their livelihood.

The instant petition is dismissed as withdrawn with the liberty aforesaid. However, in view of the ratio laid down by this Court in CRM-M-25963-2023 titled as 'Suresh Kumar and another Vs. The State of Haryana and another' 2023 (2) Law Herald 1498, the personal appearance of the petitioners before the learned trial Court is ordered to be exempted, subject to the following conditions:-

- i) petitioners shall be represented through their counsel;
- ii) shall not delay/stall the trial proceedings;
- iii) shall not dispute their identity as accused;
- iv) shall have no objection if the prosecution evidence is recorded in their absence but in the presence of their counsel;
- v) shall appear before the trial Court as and when required;
and
- vi) any other condition, which the trial Court may impose.

(HARPREET SINGH BRAR)
JUDGE

24.05.2024*Neha*

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