



247

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57612-2022

Date of decision: 19.07.2024

Sukhdev Kaur and another

....Petitioners

Versus

Ritu and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Sunny K. Singla, Advocate
for the petitioners.Mr. Rajiv K. Kapila, Advocate
for respondent No.1.

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 complaint bearing No.COMI CIS 139/2022 instituted on 25.07.2022 titled as 'Ritu Vs. Ranjit Singh and others' pending in the Court of learned Judicial Magistrate 1st Class, Patiala and summoning order dated 08.09.2022 (Annexure P-2) passed by the learned Judicial Magistrate 1st Class, Patiala along with all consequential proceedings arising therefrom.

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. 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 mother-in-law and father-in-law of respondent No.1 and initially the veracity of the allegations made by respondent No.1 were examined by the jurisdictional police authorities and they

were found false and now they have been summoned in a private complaint instituted by respondent No.1. It is further submitted that the petitioners are resident of Malerkotla and the trial is progressing at Patiala, therefore, 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The instant petition is dismissed as withdrawn with the liberty aforesaid.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

19.07.2024

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No