



132 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-6905-2025 (O&M)
Date of Decision: 06.02.2025

SARITA

...Petitioner

V/S

AANCHAL SANKLA

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. S.S. Mor, Advocate for the petitioner.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 528 of BNSS, 2023 seeking quashing of complaint NACT No. 425 of 2025 titled as ***Aanchal Sankla Vs. Sarita*** filed under Section 138 of Negotiable Instruments Act pending before the learned Judicial Magistrate Ist Class, Gurugram (Annexure P-1) and also seeking setting aside of the summoning order dated 16.03.2024 passed by learned JMIC, Gurugram in complaint (supra) and all subsequent proceedings arising therefrom.

2. Learned counsel for the petitioner wishes to withdraw the present petition and seeks liberty to take all the pleas raised in the present petition at the appropriate stage during the course of trial. However, learned counsel for the petitioner confines his prayer to the effect that petitioner is resident of Delhi and is a house hold lady having two minor children and attending the trial on each and every date would cause great hardship and inconvenience to her. Therefore, he prays for exemption from personal appearance of the petitioner from the trial Court.

3. In view of the above, present revision petition stands dismissed as withdrawn with liberty as aforesaid.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 petitioner before the learned trial Court is ordered to be exempted, subject to the following conditions:-

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

(HARPREET SINGH BRAR)
JUDGE

06.02.2025
Ajay Goswami

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