



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

CRM-M-50459-2024
Date of decision: 03.03.2025

GEETANJALI SACHDEVA

...PETITIONER

V/S

RAKESH KUMAR

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jagjit Singh Chathrath, Advocate with
Mr. Lalit Kumar Narang, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in the present petition filed under section 528 BNSS, 2023 is for quashing of complaint bearing No.NACT-178 of 2019 titled as '*Geetanjali vs. Rakesh Kumar*' dated 23.04.2019 under Section 138 of Negotiable Instruments Act, 1881 and summoning order dated 21.05.2019 (Annexure P-2) and all the subsequent proceedings arising therefrom.

2. Learned counsel for the petitioner wishes to withdraw the present petition and seeks liberty to raise all the pleas taken in the present petition, at the appropriate stage, during the course of trial and confines his prayer to the extent that petitioner is a household lady and attending the trial on each and every date would cause great inconvenience and hardship to her.

3. The instant petition is dismissed as withdrawn with the liberty as prayed for. 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 trial proceedings;
- iii) shall not dispute her identity as accused;
- 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 trial Court as and when required; and
- vi) any other condition, which the trial Court may impose.

March 03, 2025
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(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |