

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

**CRM M-45939 of 2019
Date of Decision: October 29, 2019**

Anuj JainPetitioner
Versus

Nidhi Jain ... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present:- Mr. Maninder Singh Dhindsa, Advocate for
Mr. Mohd. Saquib Siddqui, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (Oral)

By filing an application (wrongly termed to be a complaint) under Sections 12, 18, 20, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005 (in short, **the Act**) by respondent against the petitioner (brother-in-law), the latter has invoked the inherent power of this Court under Section 482 Cr.P.C. seeking quashment of the application.

Upon hearing learned counsel for the petitioner, as is there reflective from the pleading that vide order dated 03.04.2019, the Court has only issued notice (Annexure P-2) to petitioner and which is the scheme of procedure to be adopted under the Act. Furthermore, by virtue of Section 25 sub-Section 2 of the Act, the petitioner was well within his right to approach

the Magistrate for alteration/modification or revocation of such an order, which is sought to be impugned before this Court, especially, in the light of the fact that Section 29 of the Act contemplates filing of the appeal. Thus, in the light of the settled proposition of law in the judicial hierarchy that provisions of Section 482 Cr.P.C. are to be sparingly used, no action is necessitated.

The petition is accordingly, dismissed in *limine*.

October 29, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No