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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5588-2021

Date of Decision:01.05.2023

DINESH KUMAR SOLANKI AND OTHERS

..... Petitioners

Versus

STATE OF HARYANA AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. Ramandeep Kaur, Advocate for
Mr. Vikas Cuccria, Advocate
for the petitioners.

Ms. Dimple Jain, AAG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Section 482 Cr.P.C are seeking quashing of complaint which has been filed under Section 12 of the Protection of Women from Domestic Violence Act before the Illaqa Magistrate, Kurukshetra.

2. This Court vide order dated 24.04.2023 in “Jaspal Kaur @ Pinki and others vs. State of Punjab and another” in CRM-M-19553-2023 relying upon the judgments of Hon'ble Supreme Court in **“Kamatchi Vs. Lakshmi Narayanan” 2022 SCC Online SC 446,** **Kunappareddy Vs. Kunappareddy Swarna Kumari (2016) 11 SCC 774** and Full Bench of Madras High Court in **Arul Daniel and others Vs. Suganya 2022 SCC Online Mad 5435** has held that proceedings under Section 12 of DV Act are civil in nature, thus, petition under Section 482

Cr.P.C. is not maintainable against the petition under Section 12 of DV

Act and notice under Section 13 of DV Act.

3. In view of order dated 24.4.2023 passed by this Court in CRM-M-19553 of 2023, present petition is not maintainable and accordingly disposed of with liberty to the petitioners to avail remedy as permissible by law.
6. Disposed of with liberty as aforesaid.

(JAGMOHAN BANSAL)

JUDGE

01.05.2023

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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>