

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

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CRM-M-14076-2023

Date of Decision : 25.04.2023

Harpreet Kaur and others

..... Petitioners

Versus

Rajneet Kaur and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.M.S.Rana, Advocate
for the petitioners.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition under Section 482 Cr.P.C. is seeking setting aside a petition bearing No.COMA/25/2021 dated 06.04.2021 which is pending before Sub Divisional Judicial Magistrate, Mukerian under Section 12 of DV Act and notice dated 09.04.2021 whereby the petitioner has been called upon to respond.

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 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.

On being confronted with the afore-stated judgments, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to avail remedies as permissible by law and as observed by this Court in aforesaid judgment.

Dismissed as withdrawn with liberty aforesaid.

(JAGMOHAN BANSAL)
JUDGE

25.04.2023
anju

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