

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

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CRM-M-29776-2022 (O&M)

Date of Decision : 26.04.2023

Baldev Raj

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Amit Arora, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through the instant petition is seeking setting aside of order dated 08.11.2019 whereby Appellate Court has dismissed appeal, on the ground of delay, challenging order dated 06.03.2019 whereby JMJC, Amritsar awarded interim maintenance of Rs.15,000/- per month to respondent No.2 in terms of Sections 12 and 23 of Protection of Women from Domestic Violence Act, 2005 (for short "DV Act").

2. This Court in **Jaspal Kaur alias Pinki and others vs. State of Punjab and another**, CRM-M- 19553 of 2023 decided on 24.04.2023, relying upon judgments of Hon'ble Supreme Court in *Kamatchi vs. Lakshmi Narayan 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 remedy of revision under Section 397/401 Cr.P.C. is not available against order passed by Appellate Court under

Section 29 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 petitioner to avail remedy as permissible by law.
4. Disposed of with liberty as aforesaid.

(JAGMOHAN BANSAL)

JUDGE

26.04.2023

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