

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

CRR-2873-2023 (O&M)

Date of Decision: 21.12.2023

SANJEEV JOSHI

.....PETITIONER

Vs.

SUDHA JOSHI

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. V.K. Sachdeva, Advocate,
 for the petitioner.

HARPREET KAUR JEEWAN J. (ORAL)

[1] In the present Criminal Revision Petition, the challenge is to the order dated 16.02.2019 passed by the learned Judicial Magistrate Ist Class, Chandigarh, whereby an application under Section 23 of the Protection of Women from Domestic Violence Act, 2005 (for short 'the DV Act') has been partly allowed, whereby the interim maintenance was granted to the respondents during the pendency of an application/complaint filed under Section 12 of the DV Act.

[2] The said order was challenged by both the parties in an appeal filed under Section 29 of the DV Act and the appeal stands decided as per the order dated 10.10.2023. By way of filing the present petition under Section 482 Cr.P.C., the impugned judgment passed in an appeal under Section 29 of the DV Act has been challenged which primarily deals with the relief granted to the respondents regarding payment of interim maintenance during the pendency of the complaint/application under Section 12 of the DV Act.

[3] Keeping in view the facts and circumstances of the case and the challenge which has been under Section 482 Cr.P.C. and in view the decision given by this Bench in CRM-M-58023-2023, titled Gautam Singal vs. Anuj Singal, decided on 30.11.2023, the present petition is not maintainable.

[4] Counsel for the petitioner contends that the present petition be disposed of in terms of the aforesaid decision of this Bench and the petitioner may be granted liberty to avail remedy as per law.

[5] Dismissed as withdrawn with the liberty aforesaid.

[6] Pending miscellaneous application (s), if any, shall also stand disposed of.

December 21, 2023
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No