

SURESH DEVI AND ANOTHER

V/S

...Petitioners

VIJAY PAL AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Nandan Kumar, Advocate for
 Mr. Chand Ram Olla, Advocate
 for the petitioners.

HARPREET SINGH BRAR J. (Oral)

1. Present criminal revision petition is filed seeking setting aside/modification of the orders dated 03.12.2018 passed by learned Judicial Magistrate Ist Class, Hansi and 28.01.2019 passed by learned Sessions Judge, Hisar, vide which interim maintenance to the tune of Rs. 3500/- has been awarded in favour of the petitioners.
2. In view of the settled law pronounced by the Hon'ble Supreme Court in *Kunappareddy Vs. Kunappareddy Swarna Kumari (2016) 11 SCC 774*, Full Bench of Madras High Court in *Arul Daniel and others Vs. Suganya, 2022 SCC Online Mad 5435* and by the Co-ordinate Bench of this Court in *Jaspal Kaur alias Pinki and others Vs. State of Punjab and others* in *CRM-M-19553-2023* decided on 24.04.2023, the provisions of the Code of Criminal Procedure, 1973 cannot be invoked to challenge proceedings emerging out of Protection of Women against Domestic Violence, 2005.
3. Faced with this situation, learned counsel for the petitioner seeks liberty to invoke alternative appropriate remedy on the same cause of action in accordance with law for redressal of grievances raised in the present petition.

4. Dismissed as withdrawn with liberty aforesaid.

04.04.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No