

CRM-M-1945-2024(O&M) -1-

2024.PHHC.110082



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-1945-2024(O&M)

Date of Decision: 27.08.2024

Gurcharan Singh

.... Petitioner

Versus

Jagdish Kaur

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioner.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C., is for quashing/setting aside of order dated 30.11.2023 (Annexure P-7) passed by learned Additional Chief Judicial Magistrate, Moga in the complaint (Annexure P-1) bearing No. COMA/9/2022 dated 24.01.2022 titled as 'Jagdish Kaur vs. Gurcharan Singh' under Section 12 of the D.V.Act, whereby the defence of the petitioner has been struck off by the learned trial Court.

None appeared on behalf of the petitioner.

Reference is to the judgment dated 24.04.2023 passed by a coordinate Bench of this Court in **CRM-M-19553-2023** titled as '**Jaspal Kaur alias Pinki and others vs. State of Punjab and another**', wherein it has been held that '*the proceedings under Section 12 of the DV Act are civil in nature, therefore, a petition under Section 482 Cr.P.C. or revision under Section 397 Cr.P.C., assailing the order passed in*



complaint filed under the provisions of DV Act are not maintainable’.

In view of the above, the present petition is dismissed with liberty to the petitioner to take recourse to the appropriate remedy, in accordance with law, if so advised.

Pending application, if any, also stands disposed of.

27.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No