



235 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRR-126-2023 (O&M)
Date of Decision: 01.08.2024

SUNIL

...Petitioner

V/S

SEEMA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Tanvir Singh Attariwala, Advocate
for the petitioner.

Mr. R.S. Pathania, Advocate
for the respondent.

HARPREET SINGH BRAR J. (Oral)

1. Present revision petition has been preferred against the order dated 03.12.2022 passed by learned Additional Sessions Judge-cum-Judge, Special Court for Heinous Crime against Women, Hisar, whereby criminal appeal of the petitioner filed under Section 29 of Protection of Women from Domestic Violence Act, 2005 against the order dated 15.09.2022 passed by learned Judicial Magistrate Ist Class, Hisar, has been dismissed and petitioner has been directed to pay a monthly maintenance of Rs. 7,000/-.

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

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 Dismissed as withdrawn with liberty aforesaid.
5. Pending CRM(s), if any, are also disposed of accordingly.

01.08.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No