



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRR-775-2020 (O&M)

Date of Decision: 16.10.2024

Dr. Rajiv Goel

.... Petitioner

Versus

Sumani Rani and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Parveen Moudgil, Advocate for
Ms. Sunita Nain, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Challenge in the present petition is to common judgment dated 18.09.2019 passed by learned Additional Sessions Judge, Kurukshetra whereby appeals filed by the parties against the judgment dated 27.10.2016 passed by learned Additional Chief Judicial Magistrate, Kurukshetra in a complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005, have been dismissed.

At the very outset, learned proxy counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to take recourse to the appropriate remedy within a period of four weeks from today, in accordance with law, in view of judgment dated 24.04.2023 passed by a Co-ordinate 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, stands disposed of.

16.10.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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