

2024:PHHC:066590

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

316/A

**CRM-M-5484-2021 (O&M)
Date of Decision: 13.05.2024**

ANOOP SHARMA

...Petitioner

Versus

MS SEEMA BHATNAGAR

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. Harsh Chopra, Advocate
for the respondent.

HARPREET KAUR JEEWAN, J.

1. The present petition under Section 482 Cr.P.C. has been filed for quashing the order dated 04.08.2020 (Annexure P-8) passed by the learned Judicial Magistrate 1st Class, Gurugarm in complaint No.DV/71/2020 dated 26.06.2020 under Section 12 read with Sections 17, 18, 19, 20, 22 and 23 of Protection of Women from Domestic Violence Act, 2005 along with application for grant of interim maintenance (Annexure P-1), whereby the petitioner has been ordered to pay monthly rent of the rented accommodation where the respondent is residing at present and the order dated 21.01.2021 (Annexure P-13) passed by the learned Additional Sessions Judge, Gurugram.

2. The above-said order dated 04.08.2020 was challenged by both the parties by way of filing separate appeals. However, the said order was upheld vide order dated 21.01.2021(Annexure P-13) by the Appellate Court in an appeal under Section 29 of the Protection of Women from Domestic Violence Act, 2005.

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3. The present petition has been filed against an order, whereby no such order has been passed which is criminal in nature, as such in view of the decision given by this Bench, in **CRM-M-58023-2023**, titled **Gautam Singal vs. Anju Singal**, decided on 30.11.2023, the present petition is not maintainable.

4. As such, learned counsel for the petitioner seeks to withdraw the present petition with liberty to avail alternate remedy available to the petitioner as per law.

5. In view of the above, the present petition is dismissed as withdrawn with the aforesiad liberty.

6. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

13.05.2024
P.Bhatt

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