



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

228

CRR-316-2024 (O&M)

Date of Decision: 02.08.2024

Priyanka

.... Petitioner

Versus

Kumar Gaurav and another

.... Respondents

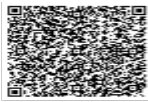
CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Shivam Chaudhary, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Challenge in the present revision petition is to order dated 17.10.2023 whereby in Criminal Appeal No. 246/2022 titled as '*Priyanka vs. Kumar Gaurav and another*' filed against the order dated 08.08.2022 passed by learned Sub Divisional Judicial Magistrate, Rajpura, granting interim maintenance of Rs.10,000/-p.m. to the respondent-wife, the learned Additional Sessions Judge, Patiala has upheld order dated 08.08.2022.

At the very outset, learned 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.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.

02.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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