



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRR-268-2019 (O&M)

Date of Decision: 22.08.2024

Rakesh Nanda

.... Petitioner

Versus

Shashi Nanda

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Navrajdeep Singh, Advocate for
Mr. P.S.Khurana, Advocate for the petitioner.

Mr. Tanvir Singh Attariwala, Advocate
for the respondent.

NIDHI GUPTA, J. (ORAL)

Challenge in the present petition is to order dated 20.09.2018 passed by learned Sub-Divisional Judicial Magistrate, Khanna, whereby in application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 filed by the respondent-wife was allowed and the petitioner-husband was directed to pay Rs.20,000/- p.m. as maintenance and Rs.10,000/- as interim compensation to the respondent-wife; And order dated 29.11.2018 passed by learned Additional Sessions Judge, Ludhiana whereby appeal filed against order dated 20.09.2018 by the petitioner-husband was 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.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.

22.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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