



**234-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR-396-2023

Date of decision: 20.08.2024

SANGEETA

...PETITIONER

V/S

VINAY INDORA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioner.

Mr. Sagar Aggarwal, Advocate for the respondent.

HARPREET SINGH BRAR, J. (ORAL)

1. In the instant revision petition, the petitioner is seeking modification of order dated 15.10.2022, whereby Criminal Revision No.85 of 2022 titled as 'Vinay Indora vs. Sangeeta Arora' and Criminal Revision No.34 of 2021 titled as 'Sangeeta vs. Vinay Indora' have been disposed of vide common order and also challenging the order dated 30.11.2019 passed by learned Judicial Magistrate Ist Class, whereby in application filed under Section 23(2) of Protection of Women from Domestic Violence Act, 2005, respondent-husband has been ordered to pay a sum of Rs.5,000/- in lump sum and Rs.3,000/- per month as maintenance allowance to the petitioner.

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 Protection of Women against Domestic Violence, 2005.

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3. In view of the above, present petition stands dismissed with liberty to the petitioner 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 with liberty as prayed for.

August 20, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No