



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

232-2

CRR-289-2024 (O&M)

Date of Decision: 01.08.2024

Poonam Konaal Bhatti

.... Petitioner

Versus

Konnal Bhatti and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Arun Kumar Gupta, Advocate for the petitioner.

Mr. Sandeep Arora, Advocate for the respondents.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition is to common judgment dated 07.11.2023 passed by learned Additional Sessions Judge, Patiala whereby two criminal appeals i.e. 182/2022 and 183/2022 filed by the petitioner-husband and respondent-wife against the order dated 13.06.2022 passed by learned Judicial Magistrate 1st Class, Patiala in CIS No. COMA-587-2021 under Section 23 of the Protection of Women from Domestic Violence Act, 2005, have been dismissed.

Separate vakalatnamas on behalf of respondents No. 1 and 2 filed in Court today is taken on record.

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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.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

01.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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