

SUMER LAL

...Petitioner

V/S

PARAMJIT KAUR

...Respondent

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Tarun Yadav, Advocate
for the petitioner.

Mr. Munish Kumar Garg, Advocate,
Mr. Tanuj Goyal Tohana, Advocate and
Mr. Rakesh Dangra, Advocate for the respondent.

HARPREET SINGH BRAR J. (Oral)

1. Present revision petition has been preferred against the impugned order dated 12.10.2021 passed by learned Additional Sessions Judge, Fatehabad, whereby criminal appeal against the order of maintenance allowance dated 05.02.2018 in the criminal case based on a criminal complaint bearing CIS No. COMA 24 of 2013 passed by the court of Learned Judicial Magistrate Ist Class, Tohana has been dismissed.
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.

4. Faced with this situation, learned counsel for the petitioner seeks liberty to invoke alternative appropriate remedy on the same cause of action in accordance with law for redressal of grievances raised in the present petition.
5. Dismissed as withdrawn with liberty aforesaid.

04.04.2024	(HARPREET SINGH BRAR)	
Ajay Goswami	JUDGE	
	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No