



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-5982-2020

Date of Decision: 12.08.2024

Rachna Devi and another

.... Petitioners

Versus

Neha

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Ms. Ravinder Kaur Manaise, Advocate for the petitioners.

None for the respondent.

NIDHI GUPTA, J. (ORAL)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of Complaint bearing No. 116/2019 (Annexure P-5) dated 21.05.2019, under Section 12 of the Protection of Women from Domestic Violence Act, 2005, along with order dated 21.05.2019 (Annexure P-6), passed by the learned Judicial Magistrate Ist Class, Chandigarh and all subsequent proceedings arising therefrom qua the petitioners.

At the very outset, learned counsel for the petitioners submits that she may be permitted to withdraw the present petition with liberty to take recourse to the appropriate remedy, 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’.*

Vide order dated 11.02.2020, a co-ordinate Bench of this Court had stayed the operation of impugned order dated 21.05.2019 (Annexure P-6). The said order shall subsist for the next four weeks from today.

In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

Pending application(s), if any, stand disposed of.

12.08.2024
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No