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IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRR-904-2020 (O&M)

Date of Decision: 16.04.2024

POOJA

...Petitioner

V/S

VIKRAM KUMAR AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Tushar Gera, Advocate for
Mr. Naveen S. Bhardwaj, Advocate
for the petitioner.

HARPREET SINGH BRAR J. (Oral)

1. Instant revision petition has been preferred against the judgment dated 04.12.2019 passed by learned Additional Sessions Judge, Ambala as well as judgment dated 08.01.2018 passed by learned Judicial Magistrate Ist Class, Ambala to the extent of non-acceptance of the claim of the petitioner-complainant as raised in her complaint filed under the provisions of the Protection of Women from Domestic Violence Act, 2005.

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.

3. 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.

4. Dismissed as withdrawn with liberty aforesaid.

16.04.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>