

SEWA SINGH AND ANOTHER

V/S

STATE OF PUNJAB AND OTHERS

...Petitioners

...Respondents

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gurnam Singh, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 482 of Cr.P.C. seeking quashing of the complaint dated 15.03.2018 (COMA-38/2018) under Section 12 of Protection of Women from Domestic Violence Act 2005 (Annexure P-6) and summoning order dated 19.10.2016 (Annexure P-8) qua the petitioners only.
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 petitioners seeks liberty to invoke alternative appropriate remedy on the same cause of action in

4. Dismissed as withdrawn with liberty aforesaid.

03.05.2024
Ajay Goswami

Whether speaking/reasoned

Whether reportable

(HARPREET SINGH BRAR)

JUDGE

Yes/No

Yes/No