

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-13769-2021(O&M)

Date of order: 23.04.2024

Harjinder Singh & Others

.....Petitioner(s)

Vs.

State of Haryana & Another

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Daljeet Singh, Advocate
for the petitioners (through VC).

Mr. Aditya Pal Singla, AAG Haryana.

Nidhi Gupta, J.

Present petition under Section 482 Cr.P.C. is filed seeking quashing of complaint No.195/2020 under Section 12 of Domestic Violence Act, 2005 dated 13.10.2020 filed before learned JMIC, Panipat (Annexure P7) at the instance of respondent No.2; and all the subsequent proceedings arising therefrom qua the petitioners.

2. At the very outset, learned counsel for the petitioners submits that he 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’.

3. In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.
4. Pending application(s) if any also stand(s) disposed of.

23.04.2024

Sunena

(Nidhi Gupta)

Judge

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No