

PANKAJ AND ANOTHER

V/S

KIRAN BALA

...Petitioners

...Respondent

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Rasika Bansal, Advocate for
Mr. Dheeraj Mahajan, Advocate for the petitioners.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of Cr.P.C. seeking quashing of the impugned criminal complaint under Section 12 of Protection of Women from Domestic Violence Act 2005 bearing No. COMA/134/2022 titled as *‘Kiran Bala Vs. Jatinder Kumar and Others’* District Gurdaspur dated 16.08.2022 and all consequential proceedings arising therefrom.
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 accordance with law for redressal of grievances raised in the present petition.
4. Dismissed as withdrawn with liberty aforesaid.

15.04.2024

Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE