

GURMINDER SINGH AND OTHERS

V/S

PARDEEP KAUR

...Petitioners

...Respondent

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioners.

 Mr. Tanvir Singh Attariwala, Advocate
 for the respondent.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been preferred under Section 482 of Cr.P.C. seeking quashing of COMA/101/2019 filed under Sections 12, 18, 19, 20, 22 of Protection of Women from Domestic Violence Act, 2005 pending before learned Judicial Magistrate Ist Class, Moga.
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. In view of the above, the present revision petition is dismissed. However, liberty is granted to the petitioners to invoke their alternative

appropriate remedy on the same cause of action in accordance with law for redressal of grievances raised in the present petition.

29.04.2024
Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(HARPREET SINGH BRAR)
JUDGE