

113+207

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-14680-2017 (O&M)
Date of decision: 27.05.2024**

Aisha

... Petitioner

Vs.

Sabbir and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

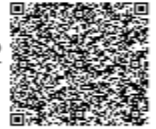
Present: Mr. Arun Gupta, Advocate for
Mr. Ashish Gupta, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking setting aside the order dated 13.01.2017 (Annexure P-3) passed by learned Additional Sessions Judge, Mewat and for modifying the order dated 27.09.2016 (Annexure P-1) passed by learned Judicial Magistrate 1st Class, Ferozepur Jhirka, vide which very meagre amount of maintenance had been awarded to the petitioner.

2. In view of the settled law pronounced by the Hon'ble Supreme

2024:PHHC:074842



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, provisions of Cr.P.C. cannot be invoked to challenge proceedings emerging out of the Act.

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 Dismissed as withdrawn with liberty aforesaid.

5. All the pending miscellaneous application(s), if any, shall stand disposed of.

[HARPREET SINGH BRAR]
JUDGE

27.05.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No