

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

248

CRM-M-14706-2021

Date of Decision: 14.08.2024

Gursharan Kaur

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. GS Nahel, Advocate for the petitioner.

Ms. Rishu Madan, AAG, Punjab.

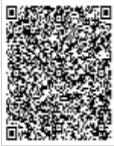
Mr. Ketan Chopra, Advocate for respondent No. 2.

NIDHI GUPTA, J. (ORAL)

Vakalatnama filed on behalf of the respondent No. 2 is taken on record.

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of order dated 06.01.2020 (Annexure P-3) whereby the learned Additional Sessions Judge, Barnala, had awarded a meager amount of Rs.6000/- per month as rent in lieu of residential accommodation, in a proceedings filed under the provisions of the Protection of Women from Domestic Violence Act, 2005.

At the very outset, learned counsel for the petitioner 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*’.

In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

Pending application(s), if any, stand disposed of.

14.08.2024
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No