



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

112

CRR-464-2024 (O&M)

Date of Decision: 04.09.2024

Reetu Kumari alias Ritu Kumari

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Kunwarbir Singh, A.A.G., Punjab.

NIDHI GUPTA, J. (ORAL)

Challenge in the present petition is to order dated 25.10.2021 passed by learned Judicial Magistrate 1st Class, Gurdaspur, whereby the complaint under Section 9(b) and 37(2) of the Protection of Women from Domestic Violence Act, 2005 filed by the petitioner has been dismissed; and judgment dated 12.12.2023 passed by learned Additional Sessions Judge, Gurdaspur, whereby the appeal filed against the order dated 25.10.2021 has also been dismissed.

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 within a period of four weeks from today, 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.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, if any, stands disposed of.

04.09.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No