

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRR-487-2024 (O&M)
Date of Decision: 10.09.2024

Nitin Kumar Petitioner

Versus

Isha Malhotra Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

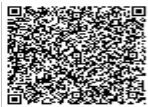
Present: - None for the petitioner.

NIDHI GUPTA, J. (ORAL)

Challenge in the present revision petition is to the judgment dated 12.02.2024, whereby the learned Additional Sessions Judge, Patiala has dismissed the criminal appeal bearing CrI. Appeal No. 24/2023 titled as '*Nitin Kumar and others vs. Isha Malhotra*' filed by the petitioner-husband against the order dated 15.12.2022 passed by the learned Judicial Magistrate 1st Class, Patiala directing the petitioner-husband to pay Rs.5,000/- towards monthly rent to the respondent-wife, in a complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

There is no representation on behalf of the petitioner.

Reference is to the 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 revision petition is dismissed with liberty to the petitioner to take recourse to the appropriate remedy, in accordance with law, if so advised.

Pending application, if any, also stands disposed of.

10.09.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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