

**CRM-35588-2024 in/and
CRR-485-2024 (O&M)**

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2024:PHHC:118786



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CRM-35588-2024 in/and
CRR-485-2024(O&M)**
Date of Decision: 10.09.2024

Chetan Bhardwaj

.... Petitioner

Versus

Divya

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

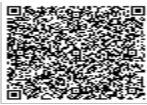
Present: - Mr. Kunal Dawar, Advocate and
Mr. Rohit Rana, Advocate for the petitioner.

Mr. Gaurav Vir Singh Behl, Advocate
for the respondent.

NIDHI GUPTA, J. (ORAL)

Challenge in the present revision petition is to impugn judgment dated 08.01.2024, whereby the learned Additional Sessions Judge, Gurugram, has dismissed the Criminal Appeal No. 85 dated 31.01.2022 titled as '*Chetan Bhardwaj vs. Divya*' against the order dated 03.01.2022 passed by learned Judicial Magistrate 1st Class, Gurugram directing the husband to pay Rs.12,000/- p.m. to the respondent-wife as an **interim maintenance** in a petition under Section 29 of the Protection of Women from Domestic Violence Act, 2005.

Reference is to 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’.

Vide order dated 11.03.2024 passed by this Court, operation of impugned orders was stayed. The said order shall subsist for the next six weeks from today.

In view of the above, 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 within a period of six weeks from today.

Dismissed as withdrawn, with the liberty aforesaid.

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

10.09.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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