

CRM-M-12787-2024(O&M) -1-

2024:PHHC:111102



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-12787-2024 (O&M)

Date of Decision: 28.08.2024

Pawan Kumar

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioner.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C., is for setting aside impugned judgment dated 30.01.2024 (Annexure P-1) passed by learned Additional Sessions Judge, Faridabad (Haryana), whereby the appeal filed by the petitioner under Section 29 of the Protection of Women from Domestic Violence Act, 2005 has been dismissed and the order dated 03.12.2021 (Anexure P-2) passed by learned Judicial Magistrate 1st Class, Faridabad in the complaint bearing No. COMA-1110-2019 titled as '*Rinki vs. Pawan etc.*' has been upheld.

Request for appearance through Video Conferencing was made by learned counsel for the petitioner. However, none appeared 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 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.

28.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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