

201 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
 AT CHANDIGARH

SARABJIT KAUR AND ANOTHER

V/S

...RESPONDENT

Present: Mr. Bhavesh Aggarwal, Advocate
for the petitioners.

Mr. Shashank Shekhar Sharma, Advocate for respondent.

HARPREET SINGH BRAR J. (ORAL)

1. Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of criminal complaint bearing No.COMA-171-2022 dated 20.10.2022 titled as 'Harpreet Kaur vs. Rajinder Singh and others' pending in the Court of Judicial Magistrate Ist Class, Gurdaspur filed under Section 12, 18, 19, 20, 22 and 23 of Protection of Women from Domestic Violence Act, 2005 along with all consequential proceedings arising therefrom.

2. In view of the settled law pronounced by the Hon'ble Supreme Court in ***Kunappareddy Vs. Kunappareddy Swarna Kumari (2016) 11 SCC 774***, Full Bench of Madras High Court in ***Arul Daniel and others Vs. Suganya, 2022 SCC Online Mad 5435*** and by the Co-ordinate Bench of this Court in ***Jaspal Kaur alias Pinki and others Vs. State of Punjab and others in CRM-M-19553-2023*** decided on 24.04.2023, the provisions of the Code of Criminal Procedure, 1973 cannot be invoked to challenge proceedings emerging out of Protection of Women against Domestic Violence, 2005.

3. Faced with this situation, learned counsel for the petitioners seeks liberty to invoke alternative appropriate remedy on the same cause of action in accordance with law for redressal of grievances raised in the present petition.
4. Dismissed as withdrawn with liberty aforesaid.

April 20, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No