



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-13271-2024 (O&M)

Date of Decision: 30.07.2024

Monika

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Virat Rana, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, Assistant Advocate General,
Haryana.

NIDHI GUPTA, J. (ORAL)

Prayer in this first petition is for transfer of the petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005, titled as “Parveen Kumari vs. Monika and others” bearing No. DV-264-2023 dated 13.10.2023 (Annexure P-1) from the Court of Judicial Magistrate 1st Class, Hisar to some other court of competent jurisdiction at Bahadurgarh, District Jhajjar.

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, 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.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, also stands disposed of.

30.07.2024

Divyanshi

(NIDHI GUPTA)
JUDGE

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