



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

CRM-M-12814-2019 (O & M)

Date of decision: 23.10.2024

SAVITA RANI

...PETITIONER

V/S

ASHA RANI AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aayush Bansal, Advocate for
Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. Bikramjit Singh, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing the impugned orders dated 14.01.2019 (Annexure P-5) and 08.03.2019 (Annexure P-13), whereby warrant of possession of house No.10, First Floor, Gandhi Colony, Opp. AV School, Sirsa has been issued against the petitioner and her children in case bearing No.103/EXE dated 28.02.2017 and 08.05.2017 petition filed under Sections 12, 17, 18 and 19 of Protection of Women from Domestic Violence Act, 2005.

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. In view of the above, learned counsel for the petitioner wishes to withdraw the present petition and 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 Dismissed as withdrawn with liberty as prayed for.
5. Pending miscellaneous application(s), if any, also stand(s) disposed of.

October 23, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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