

CRM-M-16126-2023 (O&M) -1- 2024:PHHC:111990



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

261

CRM-M-16126-2023 (O&M)

Date of Decision: 29.08.2024

Sanjay Kumar and another

.... Petitioners

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioners.

Mr. Aditya Pal Singla, A.A.G., Haryana.

Mr. Saneev Kodan, Advocate for respondent No.2.

Mr. Karan Singh, Advocate for respondent No.3.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C., is for quashing of complaint/application No. 68/2019 dated 21.11.2019 filed by respondent No.2 under Section 12 of the Protection of Women from Domestic Violence Act, 2005 titled as '*Kawaljot Kaur vs. Vavinder Singh and others*' (Annexure P-1), and order dated 30.03.2020 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Jhajjar.

On the last date of hearing i.e. 04.03.2024, none appeared on behalf of the petitioners. Even today, there is no representation on behalf of the petitioners.

Reference is to the judgment dated 24.04.2023 passed by a coordinate 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 petitioners to take recourse to the appropriate remedy, in accordance with law, if so advised.

Pending application, if any, also stands disposed of.

29.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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