

113 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH

CRM-M-19358-2024
Date of decision: 20.04.2024

VIKAS AND OTHERS

...PETITIONERS

V/S

PARVESH KUMARI

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioners.

HARPREET SINGH BRAR J. (ORAL)

1. Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of the complaint bearing COMA No.16/2024 dated 30.01.2024 under Section 12 read with Section 17 to 23 of Protection of Women from Domestic Violence Act, 2005 along with Protection of Women from Domestic Rules, 2005 pending in the Cuort of learned Additional Chief Judicial Magistrate, Bhiwani (Annexure P-1) and all the 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. In view of the above, present petition is dismissed being not maintainable. However, liberty is granted to the petitioner to invoke alternative appropriate remedy on the same cause of action in accordance with law for redressal of grievances raised in the present petition.

April 20, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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