



262 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15128-2023 (O & M)
Date of decision: 18.07.2024

RAJESH SHARMA

...PETITIONER

V/S

ARTI

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aharjot Grewal, Advocate for
Mr. Prateek Sodhi, Advocate for the petitioner.

Mr. Inderjit Sharma, Advocate for the respondent.

HARPREET SINGH BRAR J. (ORAL)

1. Instant petition filed under Section 482 Cr.P.C. is for quashing of order dated 19.02.2021 in complaint bearing No.23 of 2017 (Annexure P-1) filed under Section 12 (1) of Protection of Women from Domestic Violence Act, 2005 and quashing of order dated 31.01.2023 (Annexure P-8), whereby appeal of the petitioner against the order of Magistrate has been dismissed.

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 Dismissed as withdrawn with liberty as prayed for.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.

July 18, 2024

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(HARPREET SINGH BRAR)

JUDGE

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