

CRM-M-14722-2024(O&M) -1-

2024:PHHC:095428



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-14722-2024(O&M)

Date of Decision: 29.07.2024

Harjeet @ Harjit Kaur

.... Petitioner

Versus

Jaswinder Kaur

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioner.

Mr. Kamaljit Singh Saini, Advocate
for the respondent.

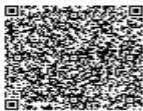
NIDHI GUPTA, J. (ORAL)

Prayer in this petition is for transfer of the petition filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005 filed by the respondent against the petitioner titled as 'Jaswinder Kaur vs. Harjit Kaur' (Comp./98/2023 date of Institution 04.9.2023) [Annexures P-1 and P-2], pending before the Judicial Magistrate 1st Class, Rupnagar to some other court of competent jurisdiction at Chandigarh District Court.

Power of attorney filed on behalf of the respondent in Court today is taken on record.

None appeared on behalf of the petitioner.

Reference is to the 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 with liberty to the petitioner to take recourse to the appropriate remedy, in accordance with law, if so advised.

Pending application, if any, also stands disposed of.

29.07.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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