

CRM-M-28342-2017
Date of decision: 10.04.2024

...PETITIONERS

AMANDEEP KAUR CHEEMA

...RESPONDENT

Present: Mr. Sandeep Arora, Advocate
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 complaint bearing No.55/2017 dated 21.03.2017 registered under Section 9(b) and 37(2) of Protection of Women from Domestic Violence Act (Annexure P-1) pending before learned Judicial Magistrate Ist Class, Gurdaspur qua the petitioners and all the subsequent proceedings arising out of the said complaint.

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. Faced with this situation, learned counsel for the petitioners 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 Dismissed as withdrawn with liberty aforesaid.

April 10, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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