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IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-30599-2018 (O&M)

Date of Decision: 30.07.2024

RAJESH DUGGAL

...Petitioner

V/S

JYOTI AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Siddharth Sharma, Advocate for
Mr. Vishal Malik, Advocate for the petitioner.

Mr. Amrinder Singh, Advocate for
Mr. Tejinder Pal Singh, ADvocate for respondent No. 1.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 482 of Cr.P.C. seeking setting aside of the impugned order dated 14.09.2015 (Annexure P-3) passed by learned Judicial Magistrate Ist Class, Panipat, vide which application bearing No. 52 of 2012 dated 23.08.2011 (Annexure P-1) under Section 12 of Protection of Women from Domestic Violence Act, 2005 preferred by respondent-wife has been allowed.

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

3. In view of the above, present petition is disposed of with liberty 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.
4. Pending CRM(s), if any, are also disposed of accordingly.

30.07.2024	(HARPREET SINGH BRAR)	
Ajay Goswami	JUDGE	
	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No