

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
229 CRR-885-2022 (O&M)

Date of Decision: 27.08.2024

Surinder Singh

.... Petitioner

Versus

Bharvinder Kaur

.... Respondent

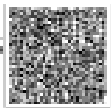
CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Sanjiv Gupta, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Challenge in the instant revision petition is to the order dated 16.03.2020 passed by the learned Additional Sessions Judge, Patiala, whereby the appeal filed by the petitioner herein against the order dated 25.07.2018 passed by the learned Judicial Magistrate Ist Class, Patiala, dismissing the application for review/modification of order dated 03.12.2014, in a proceedings under the provisions of the Protection of Women from Domestic Violence Act, 2005, was dismissed.

At the very outset, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to take recourse to the appropriate remedy, in accordance with law, in view of 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In view of the above, the present revision petition is dismissed as withdrawn, with the liberty aforesaid.

Needless to say that the bar of limitation will not arise in the present case, in view of the liberty granted by this Court.

Pending application(s), if any, stand disposed of.

27.08.2024
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No