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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20014-2023 (O&M)
Date of decision: 06.08.2024

Gurjit Singh and others

... Petitioners

Vs.

State of Punjab and another

... Respondents

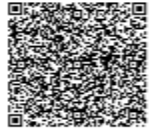
CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ravi Dangi, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking quashing of complaint case bearing No.COMA/340/2022 dated 06.07.2022 under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short 'the Act') titled as '*Parminder Kaur Vs. Gurjit Singh*', pending before the Court of learned Judicial Magistrate 1st Class, Jalandhar and the summons dated 02.09.2022 (Annexure P-5) on the basis of Domestic Incident Report prepared under Sections 9(B) & 37(2)(C) of the Act as well as all the subsequent proceedings arising therefrom.



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 Cr.P.C. cannot be invoked to challenge proceedings emerging out of the Act.

3. Faced with this situation, 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 Dismissed as withdrawn with liberty aforesaid.

5. All the pending miscellaneous application(s), if any, shall stand disposed of.

[HARPREET SINGH BRAR]
JUDGE

06.08.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No