

CRM-M-20919-2021 (O & M)
Date of decision: 23.04.2024

...PETITIONERS

RAKHI

...RESPONDENT

Present: Mr. Tarun Sharma, Advocate
for the petitioners.

Mr. Dinesh Trehan, Advocate
for the respondent
(through video conferencing).

HARPREET SINGH BRAR J. (ORAL)

1. Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of Domestic Violence Complaint i.e. COMA 41 of 2021 dated 26.03.2021 titled as 'Rakhi vs. Amarjeet Singh and others', as well as order dated 26.03.2021, passed by learned CJM, Ferozepur vide which notice has been issued to the petitioners in the aforesaid case.

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 Dismissed as withdrawn with liberty aforesaid.
5. Pending application(s), if any, also stand(s) disposed of.

April 23, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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