



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CRR-780-2024 (O&M)**  
Date of Decision: 24.07.2024

Gurcharan Singh .... Petitioner

Versus

Jagdish Kaur .... Respondent

**CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

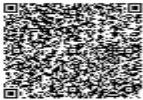
Present: - None for the petitioner.

**NIDHI GUPTA, J. (ORAL)**

Challenge is to the order dated 17.02.2024 passed by learned Additional Sessions Judge, Moga in Criminal Appeal No. CRA/106/2023 titled as '*Gurcharan Singh vs. Jagdish Kaur*' whereby appeal filed by the petitioner against the order dated 17.02.2013 passed by learned Additional Chief Judicial Magistrate, Moga in a petition under Section 12 of the Protection of Women from Domestic Violence Act, has been partly allowed.

On the last date of hearing i.e. 24.04.2024, none had appeared on behalf of the petitioner. Today also, none appeared on behalf of the petitioner.

Reference to the 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 petition is dismissed with liberty to the petitioner to take recourse to the appropriate remedy, in accordance with law, if so advised.

Pending application, if any, also stands disposed of.

**24.07.2024**

*Divyanshi*

**( NIDHI GUPTA )  
JUDGE**

|                                   |               |
|-----------------------------------|---------------|
| <b>Whether speaking/reasoned:</b> | <b>Yes/No</b> |
| <b>Whether reportable:</b>        | <b>Yes/No</b> |