

CHARANJEET SINGH

...Petitioner

V/S

MANPREET KAUR AND OTHERS

...Respondents

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anupam Singla, Advocate
 for the petitioner.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 482 of Cr.P.C. seeking quashing of the order dated 22.02.2024 (Annexure P-1) passed by the Court of learned Judicial Magistrate Ist Class, Patiala in a criminal complaint bearing No. COMA/1713 of 2020 dated 14.07.2020 filed under Sections 12, 18, 19, 20 and 22 of The Protection of Women from Domestic Violence Act 2005 titled as “*Manpreet Kaur Vs. Charanjeet Singh and Ors*”, whereby an application dated 31.05.2023 (Annexure P-4) filed by the petitioner seeking dismissal of the complaint being time barred, has been dismissed and further seeking quashing of the aforesaid criminal complaint, pending in the Court of learned JMIC, Patiala.

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 The Protection of Women against Domestic Violence Act, 2005.

3. Faced with this situation, learned counsel for the petitioner 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 Dismissed as withdrawn with liberty aforesaid.

22.04.2024
Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(HARPREET SINGH BRAR)
JUDGE