



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

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**CRM-M-36393-2018 (O&M)**

Date of Decision: 20.08.2024

Rajeev Singh

.... Petitioner

Versus

Reshma Pall

.... Respondent

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

Present: - Mr. Manish Soni, Advocate for the petitioner.

Ms. Jyotnoor Kaur Sethi, Advocate for  
Mr. J.S.Mehndiratta, Advocate  
for the respondent.

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

Prayer in the present petition under Section 407 Cr.P.C. read with Section 482 Cr.P.C. is for transfer of complaint No. DV Act/269/2017 dated 24.11.2017 titled as '*Reshma Pall vs. Rajiv Singh and others*' (Annexure P-1) filed under Section 12 of Domestic Violence Act, 2005 by the respondent-wife against the petitioner-husband and his family members, from the Court of learned Judicial Magistrate 1<sup>st</sup> Class, Chandigarh to the Court of learned Chief Judicial Magistrate, Gurugram.

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 within a period of four weeks from today, 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, stands disposed of.

20.08.2024

Divyanshi

(NIDHI GUPTA)  
JUDGE

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |