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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21866-2022
Date of decision: 18.07.2024

RAJWINDER KUMAR AND ANOTHER

...PETITIONERS

V/S

ALISHA

...RESPONDENT

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Himanshu Joshi, Advocate for
Mr. M.S. Dua, Advocate
for the petitioners.

Mr. Akshay Jindal, Advocate with
Mr. Vrishank Suri, Advocate for the respondent.

HARPREET SINGH BRAR J. (ORAL)

1. Instant petition filed under Section 482 Cr.P.C. is for quashing of complaint bearing No.191 of 2021 titled as ‘Alisha Kamboj vs. Hasan Kumar and others’ (Annexure P-1) filed under Section 12 (1) of Protection of Women from Domestic Violence Act, 2005 as well as order dated 15.12.2021 (Annexure P-5) and 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 the Code of Criminal Procedure, 1973 cannot be invoked to challenge proceedings emerging out of Protection of Women against Domestic Violence, 2005.

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3. In view of the above, learned counsel for the petitioners 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 Dismissed as withdrawn with liberty as prayed for.

July 18, 2024

manisha

(HARPREET SINGH BRAR)

JUDGE

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