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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-812-2024 (O&M)
Date of decision: 29.04.2024

Ankur Kaushik

... Petitioner

Vs.

Muskan Sharma @ Mukesh Sharma and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ajay Kumar Kansal, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present revision petition has been preferred against the impugned orders dated 20.02.2024 and 05.04.2024 passed by the learned Chief Judicial Magistrate, Hisar, vide which the petitioner has been directed to pay Rs.1.00 lac, out of total amount of Rs.4.50 lacs pending towards arrears of maintenance.
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 from Domestic Violence Act, 2005.

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 Dismissed as withdrawn with liberty aforesaid.

29.04.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No