



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

243

CRM-M-22390-2022 (O&M)

Date of Decision: 19.09.2024

Neetu

.... Petitioner

Versus

Rajender Dhar alias Tinku and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Ms. Alisha Chauhan, Advocate for
Mr. Abhimanyu Singh, Advocate
for the petitioner.

None for respondents No. 1 to 3.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 of the Code of Criminal Procedure for setting aside the impugned judgment dated 26.02.2018 (Annexure P-1) in C.C.No.70-2 of 02.09.2013 instituted on 02.09.2013 titled as 'Neetu Versus Rajender etc.' passed by the learned Judicial Magistrate 1st Class, Bhiwani in an application filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005; as well as judgment dated 24.03.2022 (Annexure P- 2) passed by the Court of Additional Sessions Judge, Bhiwani, whereby the appeal filed by the petitioner-wife against the judgment dated 26.02.2018, has been partly dismissed.

At the very outset, learned proxy counsel for the petitioner submits that she 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.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.

19.09.2024

Divyanshi

(NIDHI GUPTA)
JUDGE

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