



CR No.2532 of 2024 (O&M)
Date of Decision: 04.11.2024

.....Petitioner

Vibha

.....Respondent

Present: Mr. Rajesh Lamba, Advocate and
Mr. Vinod Kumar, Advocate for the petitioner.

1. The present revision petition has been filed under Article 227 of the Constitution of India praying for setting aside the judgment dated 05.08.2023 (Annexure P-3) passed by the Additional Sessions Judge, Faridabad, vide which, an appeal preferred by petitioner against order dated 22.10.2021 (Annexure P-1) passed by JMFC, Faridabad had been dismissed, vide which, Rs.14,000/- per month as interim maintenance and Rs.25,000/- per month as rent, from the date of filing had been awarded.

2. Learned counsel for the petitioner has submitted that earlier counsel for the petitioner had filed criminal revision petition i.e. CRR-2307-2023 and the same was withdrawn vide order dated 13.03.2024 in view of the judgment passed by the Coordinate Bench of this Court in ***CRM-M-19553-2023*** titled as ***“Jaspal Kaur alias Pinki and others vs. State of Punjab and others” decided on 24.04.2023***. It is submitted that as per the judgment dated 25.10.2024 of the Division Bench of this Court passed in ***CR No.3407 of 2024*** titled as ***“Hemant Bhagat and others vs. Prekshi***



Sood Bhagat and other connected matters” the petition under Section 482 Cr.P.C. has been held to be maintainable. It is submitted that in view of the bar under the Cr.P.C., the order dated 13.03.2024 passed in CRR-2307-2023 cannot be recalled and thus, the petitioner be permitted to withdraw the present petition with liberty to file a fresh petition under Section 482 Cr.P.C.

3. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

04.11.2024
pawan/sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No