

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

116

CWP-9722-2024

Date of decision: 30.04.2024

SOHAN LAL AND ANOTHER

.....Petitioners

VERSUS

RAJWINDER KAUR AND ANOTHER

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Gursahib Singh Hundal, Advocate
for the petitioners.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present writ petition is to order dated 27.01.2023 whereby the petitioner has been summoned by the Judicial Magistrate, First Class, Nakodar in a complaint filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005.
2. It has been stated in the petition that the petitioner does not have any efficacious remedy of appeal/revision except to approach this Court by way of a writ petition.
3. Counsel for the petitioner has however been confronted with Section 29 of the Protection of Women from Domestic Violence Act, 2005 which provides for a remedy of appeal to the Court of Sessions.
4. Under the given circumstances, once a statutory remedy of appeal is available to the petitioner against the order passed by the Judicial Magistrate, First Class, Nakodar in Application No. 3/2023, the

present writ petition at the outset would not be maintainable. The petitioner is advised to take recourse to his alternative remedies in accordance with law.

5. The present writ petition is accordingly disposed of with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 30, 2024

Vishal sharma

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