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CRM-M-20368-2024
Date of Decision: 25.04.2024

Jasmine Kaur

Versus

.... Petitioner

State of Punjab and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. G.S. Kaura, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Prayer in this present petition filed under Section 482 Cr.P.C. is for quashing of Criminal Complaint bearing No. COMA-80-2019 dated 17.07.2019 (Annexure P-1) titled as ‘Sirat vs. Lalji Singh Palaya and others’, filed under Sections 12, 17, 18, 19, 20 and 23 of the Protection of Women from Domestic Violence Act, 2005 (for short ‘the DV Act’) and all subsequent proceedings arising therefrom including the summoning order dated 17.07.2019 (Annexure P-2).

At the very outset, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to take recourse to the appropriate remedy, 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

25.04.2024

(NIDHI GUPTA)
JUDGE

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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No