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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20688-2024 (O&M)
Date of decision: 29.04.2024

Samarjeet Singh

... Petitioner

Vs.

Vandana Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Petitioner in person.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 407 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking transfer of the petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005, bearing No.COMA-272/2018 dated 20.07.2018 titled as '*Vandana Singh Vs. Samarjeet Singh*', pending before the Court of learned Chief Judicial Magistrate, Karnal to the Court of competent jurisdiction at Amritsar.

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 Cr.P.C. cannot be invoked to challenge proceedings emerging out of the Act.

3. Faced with this situation, the petitioner, who is appearing in person, 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 Dismissed as withdrawn with liberty aforesaid.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