

218-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1074-2019 (O & M)
Date of decision: 07.05.2024

MONIKA BURA

...PETITIONER

V/S

VIVEK RANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Angad Parmar, Advocate for
Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Baljeet Beniwal, Advocate
for the respondents.

HARPREET SINGH BRAR J. (ORAL)

1. Prayer in the instant petition is for setting aside the judgment dated 28.01.2019 passed by Ld. Addl. Sessions Judge, Rohtak and the order dated 06.04.2018 passed by learned Judicial Magistrate Ist Class, Rohtak.

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 the Code of Criminal Procedure, 1973 cannot be invoked to challenge proceedings emerging out of Protection of Women against Domestic Violence, 2005.

3. Faced with this situation, learned counsel for the petitioner 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 Dismissed as withdrawn with liberty aforesaid.
5. Pending miscellaneous application(s), if any, also stand(s) disposed of.

May 07, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No