



381 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6894-2012
Date of decision: 22.05.2024

SANJAY GANDHI

...PETITIONER

V/S

KHUSHBOO

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None.

HARPREET SINGH BRAR J. (ORAL)

1. Instant petition filed under Section 482 Cr.P.C. is for setting aside the order dated 10.01.2012 passed by learned Addl. Sessions Judge, Faridabad and order/judgment dated 24.05.2011 passed by learned Judicial Magistrate Ist Class, Faridabad vide which, the application/petition filed by respondent stands allowed.

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. In view of the above, present petition is dismissed being not maintainable. However, liberty is granted to the petitioner to invoke alternative appropriate remedy on the same cause of action in accordance with law for redressal of grievances raised in the present petition.

May 22, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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