



**216(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

CRR-848-2024 (O&M)

Date of Decision: 17.09.2024

DALIP KUMAR

...Petitioner

V/S

INDU AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Dr. Anand K. Bishnoi, Advocate
for the petitioner.

Mr. Prateek Singh, Advocate for the respondents.

HARPREET SINGH BRAR J. (Oral)

1. The present revision petition has been filed by the petitioner against the impugned order dated 09.05.2023 passed by learned Additional Sessions Judge, Gurugram and impugned order dated 16.02.2021 passed by learned Judicial Magistrate Ist Class, Gurugram, wherein both the Courts below have dismissed the appeal of the petitioner and ordered to pay an amount of interim maintenance @ 2,000/- per month to respondents.

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 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 Dismissed as withdrawn with liberty aforesaid.

17.09.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No