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IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-20128-2019 (O&M)
Date of Decision: 28.08.2024

BALDEV SINGH AND OTHERS

...Petitioners

V/S

KAMLESH AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vivek Goyal, Advocate
for the petitioners.

Mr. Manoj Yadav, Advocate for respondent No. 1.

Mr. Vicky Sharma, Advocate and
Mr. K.S. Dhaliwal, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. Present revision petition has been filed under Section 482 of Cr.P.C. seeking setting aside of order dated 12.09.2014 passed by learned Sub Divisional Judicial Magistrate, Samalkha, District Panipat (Annexure P-3) and order dated 20.01.2018 passed by learned Additional Sessions Judge, Panipat, whereby maintenance petition of the respondents has been 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. Faced with this situation, learned counsel for the petitioners 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 Dismissed as withdrawn with liberty aforesaid.
5. Pending CRM(s), if any, are also disposed of accordingly.

28.08.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No