



393 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41938-2014
Date of decision: 30.05.2024

SAVITRI

...PETITIONER

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Munish Kumar, Advocate for
Mr. S.B. Kaushik, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. Instant petition filed under Section 482 Cr.P.C. is for setting aside the order dated 18.07.2013 passed by learned Judicial Magistrate Ist Class, Fatehabad vide which, the application under Section 12 of Protection of Women from Domestic Violence Act has been dismissed as well as order/judgment dated 10.03.2014 passed by learned Additional Sessions Judge, Fatehabad, vide which, appeal against the aforstated order has been dismissed

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.

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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 30, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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