



201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23582-2023
Date of decision: 24.09.2024

Pardeep KumarPetitioner

Versus

Sarabjit Kaur ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. B.D. Sharma, Advocate
for the petitioner.

Ms. Farheen Bajwa, Advocate for
Mr. Harsh Aggarwal, Advocate
for the respondent.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 of Cr.P.C. seeking quashing of criminal complaint No. COMA-34858 of 2022 titled as '*Sarabjit Kaur Vs. Pardeep Kumar*' instituted on 30.11.2022 (Annexure P-1) under Section 12 of Protection of Women from Domestic Violence Act, 2005 and summoning order dated 01.12.2022 (Annexure P-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 from Domestic Violence Act, 2005.

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.

Dismissed as withdrawn with liberty aforesaid.

(HARPREET SINGH BRAR)
JUDGE

24.09.2024
Neha

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