

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024.PHHC.137311



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CRM-M-30938 of 2021 (O&M)

DECIDED ON: 21st October, 2024

Gurmail Chand Khuttan and another

.....PETITIONERS

VERSUS

Manjinder Kaur

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE **NIDHI GUPTA.**

Present: Mr. Vijay Lath, Advocate for petitioners.

Mr. V.K. Sandhir, Advocate for respondent.

NIDHI GUPTA., J (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing the Complaint No. 507/2017 of 09.09.2014 under Sections 12 of the Protection of Women from Domestic Violence Act, 2005 (for short- 'the DV Act), titled as ' Manjinder Kaur Versus Munish Khuttan and others' and summoning order dated 11.9.2017 passed by the learned Judicial Magistrate First Class, Jalandhar,

At the very outset, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to take recourse to the appropriate remedy, in accordance with law, in view of judgment dated 24.04.2023 passed by a co-ordinate Bench of this Court in CRM-M-19553-2023, titled as 'Jaspal Kaur Alias Pinki and others vs. State of Punjab and another', wherein it has been held that '*the proceedings under Section 12 of the DV Act are civil in nature, therefore, a petition under Section 482 Cr.P.C. or revision under Section 397 Cr.P.C., assailing the order passed in complaint filed under the provisions of DV Act are not maintainable*'.

In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

(NIDHI GUPTA)
JUDGE

21st October, 2024

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Whether speaking/reasoned Yes
Whether reportable No