



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-24225-2024

Date of Decision: 14.05.2024

Chander Bhushan and others

.... Petitioners

Versus

State of Punjab and another

.... Respondents

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

Present: - Mr. Abnash Singh, Advocate for the petitioners.

**NIDHI GUPTA, J. (ORAL)**

Prayer in the present petition filed under Section 482 Cr.P.C. is for seeking transfer of the petition No. COMA-6161-2022 titled as 'Gurpreet Kaur vs. Chander Bhushan etc.' under Section 12 of Protection of Women from Domestic Violence Act, 2005 pending for 06.06.2024 in the Court of learned Judicial Magistrate 1<sup>st</sup> Class, Ludhiana (Annexure P-1) to the competent Court of Chandigarh or District Roopnagar.

At the very outset, learned counsel for the petitioners 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

14.05.2024  
Divyanshi

(NIDHI GUPTA)  
JUDGE

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