

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH



236 CRM-M-22205 of 2019 (O&M)
DECIDED ON: 5th August, 2024

Tarsem SinghPETITIONER
VERSUS
Beant Kaur and anotherRESPONDENTS

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

Present: Mr. Parveen Kumar Garg, Advocate for petitioner.
Mr. Daman Dhir, Advocate for respondent No.1.

NIDHI GUPTA., J (ORAL)

Prayer in the present petition filed Section 482 Cr.P.C. is for setting aside the impugned order dated 27.4.2018 (Annexure P-11) passed by the learned trial Court, under Section 12, 17, 18, 19 and 20 of the Protection of Women from Domestic Violence Act, 2005 (for short- 'the DV Act), titled as '**Beant Kaur Vs. Tarsem Singh and another**', and also for setting aside the order dated 11.4.2019 (Annexure P-15) passed by the Lower Appellate Court in Criminal Appeal No. 337 of 2018 titled as "**Tarsem Singh Versus Beant Kaur and another**"

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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.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

5th August, 2024
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Whether speaking/reasoned	Yes
Whether reportable	No