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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25462-2022 (O&M)
Date of decision: 05.09.2024

Rao Nilesh Kumar Laxmansinh

... Petitioner

Vs.

Navneet Kaur

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jitender K. Sehrawat, Advocate
for the petitioner.

Mr. Sidhant Bhonsle, Advocate
for the respondent.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking quashing of complaint bearing No.COMA/12289/2021 dated 23.08.2021 under Sections 12(1), 18, 19, 19(5)(7), 20, 22 of the Protection of Women from Domestic Violence Act, 2005 titled as '*Navneet Kaur Vs. Viral Sinh Rao and another*' (Annexure P-1) and the summoning order dated 23.08.2021 (Annexure P-2) as well as all the subsequent proceedings arising therefrom.



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 Cr.P.C. cannot be invoked to challenge proceedings emerging out of the Act.

3. Faced with this situation, learned counsel for the petitioner wishes to withdraw the present petition and seeks liberty to invoke the alternative appropriate remedy on the same cause of action, in accordance with law, for redressal of grievances raised in the present petition.

4. Dismissed as withdrawn with liberty aforesaid.

[HARPREET SINGH BRAR]
JUDGE

05.09.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No