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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-4796-2018 (O&M)
Date of decision: 27.05.2024**

Veena Gupta

... Petitioner

Vs.

Prem Chand Gupta

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

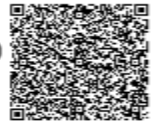
Present: Ms. Divya Sharma, Advocate
for the petitioner.

Mr. Rohit Samhotra, 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.') for setting aside the order dated 05.09.2017 (Annexure P-1) passed by learned Additional Sessions Judge, Panchkula, vide which the appeal filed by the respondent-husband against the order dated 12.05.2017 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Panchkula, was partly allowed and for restoring the order dated 12.05.2017 (Annexure P-2), whereby the maintenance of Rs.15,000/- had been granted in favour of the petitioner-wife

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in complaint bearing No.COMA/7/2013 dated 30.11.20213 under Sections 12/18 of the Protection of Women from Domestic Violence Act, 2005 (for short 'the Act') titled as '*Veena Gupta Vs. Prem Chand Gupta*'.

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, 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 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.

4. Dismissed as withdrawn with liberty aforesaid.

[HARPREET SINGH BRAR]
JUDGE

27.05.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No