



101 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRR-1011-2024 (O&M)

Date of Decision: 18.05.2024

SURENDRA KUMAR VISHWAKARMA

...Petitioner

V/S

SMT. KOMAL

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rajeshwar Kumar Gupta, Advocate for
Mr. Himanshu Chhabra, Advocate (through V.C.)
for the petitioner.

HARPREET SINGH BRAR J. (Oral)

1. By way of instant revision petition, the petitioner has assailed the order dated 25.09.2023 passed in C.C. No. 126/2022 titled as ***Komal Vs. Surendra Vs. Vishwakarma @ Rahul Vishwakarma and Others*** by the Court of learned Judicial Magistrate Ist Class, Rohtak Court, Haryana and further praying for setting aside the impugned order dated 02.04.2024 passed in CIS-CRA No. 147/2023 titled as ***Surendra Kumar Vishwakarma Vs. Koma*** by the Court of learned Additional Sessions Judge, Rohtak Court, Haryana.

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 the Code of Criminal Procedure, 1973 cannot be invoked to challenge proceedings emerging out of Protection of Women against Domestic Violence, 2005.



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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- Dismissed as withdrawn with liberty aforesaid.
5.
- Pending CRM(s), if any, are also disposed of accordingly.

18.05.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No