

Sr. No.211

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

**CRR-1045-2015 (O&M)
Date of decision: 09th February, 2024**

SIMAR KAUR**Petitioner**

versus

FAQIR CHAND**Respondent**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: None.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Challenge in the present criminal revision petition is to the order of dismissal of the appeal dated 29.11.2014, passed by the learned Additional Sessions Judge, SAS Nagar, whereby, the order dated 30.07.2013, passed by the learned Chief Judicial Magistrate, SAS Nagar in a petition filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (hereinafter called as “DV Act”), has been upheld.

2. The petitioner filed a complaint under Section 12 of the DV Act seeking various reliefs including a relief under Section 19 of the DV Act for issuance of direction to the respondent to hand over the possession of the house as well as monetary relief under Section 20 of the Act. The said application was dismissed and the petitioner was not granted the said relief by the Chief Judicial Magistrate, SAS Nagar by observing that the petitioner is already getting maintenance under Section 125 Cr.P.C. and she had purchased one house as per the document Annexure R-3. The order dated 30.07.2013 of dismissal of the said complaint, was challenged by the petitioner by way of filing an appeal under

Magistrate was upheld and the petitioner was not granted the monetary benefits. The said order has been challenged by way of filing the present criminal revision petition.

3. No such order is passed by the Chief Judicial Magistrate, SAS Nagar as well as by the Appellate Court, which is criminal in nature, as such, in view of the decision of this Court in CRM-M-58023-2023, titled as “Gautam Singal vs. Anju Singal”, decided on 30.112023, the present criminal revision petition is not maintainable.

4. Consequently, the present criminal revision stands dismissed. However, liberty is granted to the petitioner to avail appropriate remedy as per law.

5. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

09th February, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No