



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

244

CRR-1404-2022 (O&M)

Date of Decision: 20.08.2024

Surinder Pal

.... Petitioner

Versus

Paramjit Kaur and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Rahul Garg, Advocate for the petitioner.

Mr. Animesh Sharma, Advocate for respondent No.1.

NIDHI GUPTA, J. (ORAL)

Challenge in the present revision is to order dated 30.05.2022 passed by learned Additional Sessions Judge, Hoshiarpur whereby appeal filed against the order dated 13.01.2020 passed by learned Judicial Magistrate 1st Class, Hoshiarpur in execution application filed in complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005, has been allowed and the order dated 13.01.2020 has been reversed by way of dismissing the objection filed by the present petitioner.

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 within a period of four weeks from today, 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, stands disposed of.

20.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No