

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CRM-M-6414 of 2018 (O&M)
DECIDED ON: 22nd July, 2024

Jatinder Singh

.....PETITIONER

VERSUS

Tejinder Kaur

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE **NIDHI GUPTA.**

Present: Mr. Ashwani Bhardwaj, Advocate for petitioner.
Mr. Sanjay Verma, Advocate for respondent.

NIDHI GUPTA., J (ORAL)

Prayer in the present petition filed under Section 407 read with Section 482 Cr.P.C. is for issuance of direction for transfer of case filed by the respondent under Sections 12, 19, 20 and 22 of the Protection of Women from Domestic Violence Act, 2005 (for short- 'the DV Act), titled as 'Tejinder Kaur Vs. Jatinder Singh', from the Court of learned Judicial Magistrate Ist Class, Panchkula to any other Court of competent jurisdiction at District Gurgaon.

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, 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

(NIDHI GUPTA)
JUDGE

22nd July, 2024
reema

Whether speaking/reasoned Yes
Whether reportable No