



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRR-847-2015 (O&M)
Date of Decision: 30.07.2024

Rashmi Petitioner

Versus

Manjeet Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Suresh Kumar Kaushik, Advocate
for the petitioner.

None for the respondent.

NIDHI GUPTA, J. (ORAL)

Challenge in the present petition is to the judgment dated 03.01.2015 passed by learned Additional Sessions Judge, Gurgaon in Criminal Appeal No. 52/2014 titled as '*Rashmi vs. Manjeet*' whereby appeal filed by the petitioner against the judgment dated 19.05.2014 passed by learned Civil Judge (Junior Division), Gurgaon in an application under Section 12 of the Protection of Women from Domestic Violence Act, has been allowed.

The present revision petition pertains to the year 2015. Perusal of the order sheets shows that notice of motion was issued in the present case on 21.04.2015; whereupon learned counsel for the respondent put in appearance on 03.05.2016. Thereafter, the matter was adjourned at request of learned counsel for the petitioner on 30.03.2017,



17.05.2023 and 10.04.2024. There was no representation on behalf of the petitioner on the last 5 dates i.e.18.09.2018, 14.01.2019, 07.08.2019, 02.11.2022, 23.02.2024. Today also, request for a pass-over has been made by learned counsel for the petitioner. Therefore, it can safely be presumed that the petitioner or his counsel is not interested in pursuing the present revision petition.

Reference is to the 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 disposed of with liberty to the petitioner to take recourse to the appropriate remedy, in accordance with law, if so advised, within four weeks from today.

Pending application, if any, also stands disposed of.

30.07.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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