



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

237

CRM-M-7032-2018(O&M)
Date of Decision: 09.08.2024

Pushpa Sharma and another Petitioners

Versus

Rachna Devi Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioners.

Mr. Ahok K. Jindal, Advocate
for the respondent.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. is for quashing of order dated 08.05.2017 passed by learned Illaqa Magistrate in Complaint Case No. DV/A1823/2016 titled as '*Smt. Rachna Devi and others vs. Hemant Sharma and others*' under Section 12 of the Protection of Women from Domestic Violence Act, 2005, Police Station Civil Line, Hisar (Annexure P-3) and order dated 10.01.2018 passed by learned District Judge, Gurgaon (Annexure P-4) and complaint case No. DV/A1823/2016 dated 21.11.2016 (Annexure P-1) and all other consequential proceedings arising out of the said complaint.

None appeared on behalf of the petitioner.

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 dismissed with liberty to the petitioner to take recourse to the appropriate remedy, in accordance with law, if so advised.

Pending application, if any, also stands disposed of.

09.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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