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**IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH****CRR-1971-2017 (O&M)****Date of Decision: 29.07.2024****RAKESH****...Petitioner****V/S****SAROJ****...Respondent****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Ravi Chadda, Advocate
for Mr. Ajay Dahiya, Advocate
for the petitioner.

Mr. K.S. Dhanora, Advocate
for the respondent.

HARPREET SINGH BRAR J. (Oral)

1. Petitioner is aggrieved against the order dated 21.10.2016 passed by learned Judicial Magistrate Ist Class, Hisar as well as impugned order dated 04.05.2017 passed by learned Additional Sessions Judge, Hisar, vide which learned trial Court has fixed the amount of maintenance as Rs. 10,000/- per month from the date of application and further appeal filed by the petitioner has been dismissed.

2. In view of the settled law pronounced by the Hon'ble Supreme Court in *Kunappareddy Vs. Kunappareddy Swarna Kumari (2016) 11 SCC 774*, Full Bench of Madras High Court in *Arul Daniel and others Vs. Suganya, 2022 SCC Online Mad 5435* and by the Co-ordinate Bench of this Court in *Jaspal Kaur alias Pinki and others Vs. State of Punjab and others* in *CRM-M-19553-2023* decided on 24.04.2023, the provisions of the Code of Criminal Procedure, 1973 cannot be invoked to challenge proceedings emerging out of Protection of Women against Domestic Violence, 2005.



3.
- Faced with this situation, learned counsel for the petitioner seeks liberty to invoke alternative appropriate remedy on the same cause of action in accordance with law for redressal of grievances raised in the present petition.
4.
- Dismissed as withdrawn with liberty aforesaid.

29.07.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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