

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
201-A

CRM-M-8983-2018

Date of Decision: 24.07.2024

Kulwant Rai Saini and another

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. R.S. Chauhan, Advocate for the petitioners.

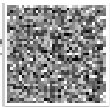
Ms. Guramrit Kaur, DAG, Punjab.

Mr. Veneet Sharma, Advocate for respondent No. 2.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of Application No. 48/226/217 under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short- 'the DV Act'), titled as 'Deepika vs. Harbhajan Singh and others' and all subsequent proceedings arising therefrom, including the summoning order dated 03.05.2017, pending adjudication before the learned Additional Chief Judicial Magistrate, Amritsar.

At the very outset, learned counsel for the petitioners 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

24.07.2024
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No