

CRR-3193-2017 (O & M)
Date of decision: 08.05.2024

...PETITIONER

V/S

...RESPONDENTS

Present: Mr. Angel Sharma, Advocate
for the petitioner.

Mr. Ketan Chopra, Advocate for
Mr. Vishal Munjal, Advocate
for the respondents.

HARPREET SINGH BRAR J. (ORAL)

1. The instant petition has been filed for impugning the order dated 07.06.2017 passed by learned Addl. Sessions Judge, Ludhiana whereby appeal filed by respondent No.1 against the order dated 13.05.2016 passed by learned JMIC, Ludhiana stands allowed.

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.

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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 Dismissed as withdrawn with liberty aforesaid.

May 08, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No