

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRR-1000-2018 (O&M)

Date of Decision: 30.04.2024

Amarjit Singh

.... Petitioner

Versus

Satinder Pal Kaur

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioner.

Respondent is present in person with
Ms. Naveen Malik, Advocate.

NIDHI GUPTA, J. (ORAL)

Challenge in the present revision is to the judgment dated 28.10.2017, passed by the learned Additional Sessions Judge, Panchkula, whereby the appeal filed by the petitioner-husband herein against the judgment dated 29.02.2016, passed by the learned Chief Judicial Magistrate, Panchkula (Annexure P-3) in a petition under Section 12 the Protection of Women from Domestic Violence Act, 2005 (for short- 'the DV Act'), **was dismissed.**

Perusal of the file shows that the present case emanates from the proceedings initiated under the provisions of the DV Act. There is no representation on behalf of the petitioner-husband, despite the case having been called twice.

In view of the above, the instant revision petition is

disposed of, with liberty to the petitioner 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’*.

Pending application(s) if any also stand(s) disposed of.

30.04.2024

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(NIDHI GUPTA)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No