

CRR-1390-2018

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2024:PHHC:107183



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

201

CRR-1390-2018

Date of Decision: 21.08.2024

Ranvir Singh

.... Petitioner

Versus

Rajinder Kaur

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Ankush Rampal, Advocate for
Mr. Rahul Rampal, Advocate for the petitioner.

Mr. Manish Garg, Advocate for the respondent.

NIDHI GUPTA, J. (ORAL)

Challenge in the instant revision petition is to the order dated 16.12.2017, passed by the learned Additional Sessions Judge, Barnala, whereby the appeal filed by the petitioner herein against the order dated 13.06.2017 passed by the learned Judicial Magistrate Ist Class, Barnala, directing the petitioner-husband to pay maintenance to respondent-wife @ ₹3500/- under the provisions of the Protection of Women from Domestic Violence Act, 2005, was dismissed.

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In view of the above, the present revision petition is dismissed as withdrawn, with the liberty aforesaid.

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

21.08.2024
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(NIDHI GUPTA)
JUDGE

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