

CRR-1647-2018
Date of decision: 04.04.2024

Versus

Reena Devi and others ...Respondents

Present: Mr. Sudesh K. Khurcha, Advocate
for the petitioner.

Mr. Sonu Giri, Advocate for
Mr. Rohit Khullar, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

The present revision petition has been filed against the impugned order dated 17.03.2017 (Annexure P-3) passed by the Court of learned Judicial Magistrate 1st Class, Chandigarh, in a complaint filed by the complainant/respondent No.1 under Section 12 of Protection of Women from Domestic Violence Act (in short 'the Act') and also against the order dated 02.04.2018 (Annexure P-1) passed by the Court of learned Additional Sessions Judge, Chandigarh, vide which the appeal filed by the petitioner, has been dismissed.

In view of the ratio of law laid down in judgments rendered by the Hon'ble Supreme Court in '**Kamatchi Vs. Lakshmi Narayanan**', 2022 SCC Online SC 446 and '**Kunappareddy Vs. Kunappareddy Swarna Kumari**', (2016) 11 SCC 774, by the Hon'ble Full Bench of Madras High Court in '**Arul**

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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 Cr.P.C. cannot be invoked in a case emanating from Section 12 of the Act.

In view of the above, learned counsel for the petitioner wishes to withdraw the present petition with liberty to invoke his alternative remedy for redressal of the grievance raised in the present petition.

Dismissed as withdrawn with the liberty aforesaid.

(HARPREET SINGH BRAR)
JUDGE

04.04.2024

Neha

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