

230-2

2024:PHHC:054718

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-32132-2023
Date of decision: 23.04.2024

SUSHIL KUMAR

....PETITIONER

Versus

PRIYANKA

....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: - Mr. S.M. Sharma, Advocate
for the petitioner.

Mr. Raman Mahajan, Advocate
for the respondent.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of an order dated 12.06.2019 (Annexure P-1) under Section 12 of “*The Protection of Women From Domestic Violence Act, 2005*” and along with all subsequent proceedings arising therefrom.

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.

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- Dismissed as withdrawn with liberty aforesaid.

23.04.2024
Anu

(HARPREET SINGH BRAR)
JUDGE

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No