



227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2224-2018

Date of decision: 28.08.2024

HARI SINGH

...PETITIONER

V/S

SHEELA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anshul Singh Chahal, Advocate for
Mr. R.S. Kundu, Advocate for the petitioner.

Mr. Anshul Gupta, Advocate for the respondent.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been preferred against the impugned judgment dated 17.09.2016 passed by Judicial Magistrate Ist Class, Panchkula, whereby application filed by the respondent stands allowed and judgment dated 13.04.2018 passed by learned Additional Sessions Judge, Panchkula, whereby appeal filed by the petitioner against the impugned judgment also stands dismissed.

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. In view of the above, learned counsel appearing on behalf of the petitioner wishes to withdraw the present petition and 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 Dismissed as withdrawn with liberty as prayed for.

August 28, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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