

CRM-M-35763-2021 (O&M) -1-

2024:PHHC:098405



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-35763-2021 (O&M)

Date of Decision: 01.08.2024

Lalit Kumar

.... Petitioner

Versus

Ruchita

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Munish Gupta, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Prayer in this petition is for quashing of order dated 22.07.2021 (Annexure P-9) passed by learned Additional Sessions Judge, Panchkula in Criminal Appeal i.e. CRA/310/2018 titled as '*Ruchita vs. Lalit Kumar and others*' whereby order dated 17.11.2018 (Annexure P-7) passed by learned Judicial Magistrate 1st Class, Panchkula in complaint/petition No. 118 dated 29.10.2014 filed by the respondent under the provision of Protection of Women from Domestic Violence Act, 2005, has been set aside.

Reference is to 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, 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 within a period of four weeks from today.

Dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, stands disposed of.

01.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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