

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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2024.PHHC.099939



CRM-M-36183 of 2021 (O&M)
DECIDED ON: 5th August, 2024

Santosh Chhabra and othersPETITIONERS
VERSUS
Prisha Chabbra and anotherRESPONDENTS

CORAM: HON'BLE MS. JUSTICE **NIDHI GUPTA.**

Present: Mr. Naresh Kumar, Advocate for petitioners.

Mr. S.S. Sandhu, Advocate for
Mr. S.S. Swaich, Advocate for respondent No.1.
Mr. C.S. Rana, Advocate for respondent No.2.

NIDHI GUPTA., J (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing the Complaint No. 5480/2019 filed by respondents against the petitioners under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short- 'the DV Act), titled as 'Prisha Chhabra and another Versus Karan Chhabra and others' as well as order dated 18.12.2019 passed by Sub Division Judicial Magistrate, Jagraon and all subsequent proceedings arising therefrom.

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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

(NIDHI GUPTA)
JUDGE

5th August, 2024
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