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IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-36348-2021 (O&M)

Date of Decision: 09.09.2024

POONAM KONDAL ALIAS BABY

...Petitioner

V/S

AYUSHI

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Preetinder Singh Ahluwalia, Advocate and
Mr. K.K. Saini, Advocate
for the petitioner.

Mr. Karnail Singh, Advocate for the respondent.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 482 of Cr.P.C. seeking quashing of complaint bearing No. COMI/163/2021 dated 23.04.2021, titled as *Ayushi Vs. Manav Kauldhar and Others* filed by the complainant/respondent under Sections 12, 17, 18, 19, 20, 22 and 23 of Protection of Women from Domestic Violence Act, 2005 along with all consequential 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 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 Dismissed as withdrawn with liberty aforesaid.
5. Pending CRM(s), if any, are also disposed of accordingly.

09.09.2024

Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No