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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-31850-2024 (O&M)

Date of decision: 08.07.2024

Parminder Singh

... Petitioner

Vs.

Nibha Panda

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jai Bhagwan Tobria, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 read with Section 483 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking quashing of impugned orders dated 04.05.2024 (Annexures P-10 to P-17) passed by learned Judicial Magistrate 1st Class, Gurugram in execution petitions bearing Crl. Misc./356/2018 instituted on 15.05.2018, Crl. Misc./2231/2022 instituted on 14.11.2022, Crl. Misc./820/2023 instituted on 12.04.2023, Crl. Misc./711/2022 instituted on 24.05.2022, Crl. Misc./978/2022 instituted on 11.07.2022, Crl. Misc./1583/2022 instituted on 12.09.2022, Crl. Misc./1936/2022 instituted on 12.10.2022 and Crl.



Misc./1298/2022 instituted on 16.08.2022, arising out of same order dated 19.01.2019 (Annexure P-6), whereby conditional warrants were issued against the petitioner and non-bailable warrants were issued against his relative, namely Vikram Singh.

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 Cr.P.C. cannot be invoked to challenge proceedings emerging out of the Act.

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 Dismissed as withdrawn with liberty aforesaid.

[HARPREET SINGH BRAR]
JUDGE

08.07.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No