



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-29168-2019 (O&M)

Date of Decision: 20.09.2024

Dr. Swati Goel

.... Petitioner

Versus

Manish Goel and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Ms. Amandeep Kaur, Advocate for
Mr. G.S.Sandhu, Advocate for the petitioner.

None for the respondents.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. is for quashing of order dated 12.02.2019 passed by the Ld. JMIC, Faridabad (P-3) to the extent vide which, while deciding the application for interim maintenance in application No.32 dated 27.03.2018 under Section 12, 18, 19, 20, 22 and 23 of Protection of Women from Domestic Violence Act, 2005 titled as '*Dr. Swati Goel Vs. Dr. Manish Goel and others*', the Id. Trial Court has declined interim maintenance to the petitioner, as well as order dated 01.05.2019 passed by Ld. Additional Sessions Judge, Faridabad (P-4) vide which the appeal filed by the present petitioner against order dated 12.02.2019 has been dismissed.

At the very outset, learned proxy counsel for the petitioner submits that she may be permitted to withdraw the present petition with liberty to take recourse to the appropriate remedy within a period of four



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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, stands disposed of.

20.09.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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