

CRR-1671-2019 (O & M)
Date of decision: 30.04.2024

...PETITIONER

V/S

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Shrey Sachdeva, Advocate for
Mr. Amit Kohar, Advocate
for the petitioner.

Mr. Komaljit, Advocate for
Mr. Viren Jain, Advocate
for the respondents.

HARPREET SINGH BRAR J. (ORAL)

1. Prayer in the instant petition is for setting aside the impugned order dated 06.04.2019 passed by learned Judicial Magistrate Ist Class, Ludhiana and order dated 13.06.2019 passed by learned Additional Sessions Judge, Ludhiana.

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 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 Dismissed as withdrawn with liberty aforesaid.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 miscellaneous application(s), if any, also stand(s) disposed of.

April 30, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No