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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32401-2024 (O&M)
Date of decision: 10.07.2024

Surinder Kumar and another

... Petitioners

Vs.

Ramandeep Kaur

... Respondent

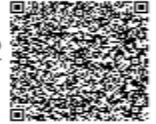
CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sartaj Singh Gill, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking quashing of Complaint bearing No.COMA 80 of 2022 dated 24.08.2022 titled as 'Ramandeep Kaur Vs. Rajiv Kumar and others' under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short 'the Act') and the order dated 24.08.2022 (Annexure P-2) passed by learned trial Court as well as all the 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 Cr.P.C. cannot be invoked to challenge proceedings emerging out of the Act.

3. Faced with this situation, learned counsel for the petitioners 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 Dismissed as withdrawn with liberty aforesaid.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

10.07.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No