



249

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-35903-2022 (O&M)

Date of Decision: 28.08.2024

LIVTAR SINGH KAHLON AND OTHERS

...Petitioners

V/S

CHARU SAGAR

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anmol Gupta, Advocate for
Mr. Abhinav Sood, Advocate for the petitioners.

Mr. Gurmandeep Singh Sullar, Advocate,
Mr. Haneesh Kumar, Advocate and
Mr. Iranpreet Singh, Advocate for
Ms. Devaki Anand Sullar, 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 No. 78 of 2021 dated 10.03.2021 titled as **Charu Sagar Vs. Livtar Singh Kahlon and Others** filed by the respondent before the Court of learned Judicial Magistrate Ist Class, Gurugram under Sections 12, 18, 19, 20, 22 and 23 of Protection of Women from Domestic Violence Act, 2005.

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 petitioners 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 Dismissed as withdrawn with liberty aforesaid.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.

28.08.2024

Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No