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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41632-2024 (O&M)
Date of decision: 28.08.2024

Anoop Kumar Gachli

... Petitioner

Vs.

Lovely Gachli

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. S.S. Randhawa, Advocate
for the petitioner.

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 setting aside the order dated 02.06.2023 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, SAS Nagar (Mohali) in complaint bearing No.COMA/7/2020 dated 17.01.2020 titled as '*Lovely Gachli Vs. Anoop Kumar Gachli*' and the order dated 02.04.2024 (Annexure P-4) passed by learned Additional Sessions Judge, SAS Nagar (Mohali), vide the revision petition filed against the order dated 02.06.2023 (Annexure P-3) has been dismissed.



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 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 Dismissed as withdrawn with liberty aforesaid.

[HARPREET SINGH BRAR]
JUDGE

28.08.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No