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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41744-2023 (O&M)
Date of decision: 03.04.2024

Rajni

... Petitioner

Vs.

Kartik Mittal and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Piyush Sharma, Advocate
for the petitioner.

Mr. Vishal Garg, Advocate
for the respondents.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 407 Cr.P.C. read with Section 482 Cr.P.C. seeking transfer of complaint bearing No.COMA/14/2022 dated 16.04.2022 under Section 12 of the Protection of Women from Domestic Violence Act, 2005 titled as '*Rajni Vs. Kartik Mittal and others*', pending before the Court of learned Sub Divisional Judicial Magistrate, Dhuri to any other Court of competent jurisdiction at Ferozepur.
2. Learned counsel for the petitioner wishes to withdraw the present petition in view of judgments rendered by the Hon'ble Supreme Court in *Kamatchi Vs. Lakshmi Narayanan, 2022 SCC Online SC 446* and

Kunappareddy Vs. Kunappareddy Swarna Kumari, (2016) 11 SCC 774, by the Hon'ble 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 and seeks liberty to invoke alternative appropriate remedy on the same cause of action, as this Court cannot be approached by invoking the provisions of Cr.P.C. in a case arising out of a complaint filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

3. Dismissed as withdrawn with liberty aforesaid.

03.04.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No