



**220-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR-1453-2021

Date of decision: 23.07.2024

ANAND KUMAR AND ANOTHER

...PETITIONERS

V/S

RAJBALA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Parshant Sethi, Advocate for
Mr. Shailender Kashyap, Advocate
for the petitioners.

Mr. Jagjit Singh Gill, Advocate and
Mr. Amritpal Singh, Advocate for respondents.

HARPREET SINGH BRAR J. (ORAL)

1. Instant petition filed under Section 482 Cr.P.C. is for assailing the order dated 27.03.2017 passed by the Court of learned Judicial Magistrate Ist Class, Sirsa and judgment dated 05.10.2021 passed by learned Additional Sessions Judge, Sirsa vide which, some monetary benefits have been extended to the respondents.

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. In view of the above, 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 Dismissed as withdrawn with liberty as prayed for.

July 23, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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