



227 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRR-38-2022 (O&M)

Date of Decision: 24.09.2024

VIJAY KUMAR

...Petitioner

V/S

MAYA DEVI AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kiran Madan, Advocate (through video conferencing)
for the petitioner.

Mr. Kapil Khanna, Advocate
for respondent No. 1.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed against the order dated 28.07.2021 passed by learned Additional Sessions Judge, Jalandhar vide which the appeal filed against the judgment passed by learned Judicial Magistrate Ist Class, Jalandhar is 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 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 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 Dismissed as withdrawn with liberty aforesaid.

24.09.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No