



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-39892-2024 (O&M)

Date of Decision: 14.08.2024

Manvinder Singh

.... Petitioner

Versus

Sarabjeet Kaur

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Sandeep Arora, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 447 of Bharatiya Nagarik Suraksha Sanhita, 2023 is for transfer of complaint bearing No. COMA 325/2021 titled as '*Sarabjeet Kaur vs. Manvinder Singh and others*' filed by the respondent under Sections 12, 17, 18, 19, 20, 22 and 23 of the Protection of Women from Domestic Violence Act, pending before learned Judicial Magistrate 1st Class, Ludhiana (Annexure P-1).

At the very outset, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to take recourse to the appropriate remedy within a period of four weeks from today, in accordance with law, in view of judgment dated 24.04.2023 passed by a Co-ordinate Bench of this Court in **CRM-M-19553-2023** titled as '*Jaspal Kaur alias Pinki and others vs. State of Punjab and another*', wherein it has been held that '*the proceedings under Section 12 of the DV Act are civil in nature, therefore, a petition*



under Section 482 Cr.P.C. or revision under Section 397 Cr.P.C., assailing the order passed in complaint filed under the provisions of DV Act are not maintainable’.

In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, stands disposed of.

14.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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