



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

240 **CRM-M-48510-2021(O&M)**
Date of Decision: 28.08.2024

Hemant Passi and others Petitioners

Versus

Upasana Passi Respondent

AND

Upasana Passi **CRR-1420-2021**
....Petitioner
Versus

Hemant Passi and othersRespondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Kuldip Sanwal, Advocate for
the petitioner/respondent-husband.

Mr. Abhinav Gupta, Advocate for
the petitioner/respondent-wife.

NIDHI GUPTA, J. (ORAL)

Vide this common order, two petitions bearing Nos. CRM-M-48510-2021 and CRR-1420-2021 are being decided together as vide order dated 22.11.2021 passed by a Coordinate Bench of this Court in CRR-1420-2021, both these petitions have been ordered to be heard together at request of learned counsel for the petitioner-wife.

Challenge in both the petitions is to judgment dated 12.10.2021 passed by learned Additional Sessions Judge, Jalandhar in



case under Domestic Violence Act titled as '*Upasana Passi vs. Hemant Passi and others.*

Reference is to judgment dated 24.04.2023 passed by a coordinate 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*'.

Vide order dated 06.09.2022 passed in CRM-M-48510-2021, a Coordinate Bench of this Court had stayed the operation of impugned judgment dated 12.10.2021 passed by learned Additional Sessions Judge, Jalandhar with certain conditions. The said order shall subsist for the next four weeks from today.

In view of the above, both the learned counsel for the petitioners submit that they may be permitted to withdraw the present petitions with liberty to take recourse to the appropriate remedy, in accordance with law within a period of four weeks from today.

Dismissed as withdrawn, with the liberty aforesaid.

Pending application(s), if any, stand(s) disposed of.

28.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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