



233 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRR-2010-2023 (O&M)
Date of Decision: 14.08.2024

MANU

...Petitioner

V/S

MANJIT AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Naveen S. Bhardwaj, Advocate
for the petitioner.

HARPREET SINGH BRAR J. (Oral)

1. Present revision petition has been filed against the order dated 18.11.2015 passed by learned Additional Chief Judicial Magistrate Bhiwani as well as order dated 02.06.2023 passed by learned Additional Sessions Judge, Bhiwani, whereby learned Courts below while deciding the complaint filed by the petitioner under Protection of Women from Domestic Violence Act, 2005 have not provided right to residence as well as orders directing the respondent to return the *instridhan* and dowry articles of the petitioner.

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 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 Dismissed as withdrawn with liberty aforesaid.

14.08.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No