

CRR-2348-2019 (O&M) -1-

2024:PHHC:108530



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRR-2348-2019 (O&M)

Date of Decision: 22.08.2024

Nirmala

.... Petitioner

Versus

Naresh Punia and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. U.K. Agnihotri, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Prayer in this petition is for quashing of order dated 27.08.2019 passed by learned Additional Sessions Judge, Hisar in CIS No. CRA/387/2019 titled as '*Ramphal Punia vs. Nirmala*' whereby order dated 20.08.2019 passed by learned Chief Judicial Magistrate, Hisar passed in application under Section 23 of the Domestic Violence Act, granting interim maintenance to the petitioner-wife as Rs.4,000/- p.m. and restraining respondents from dispossessing her, has been stayed.

Reference is to 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*'.



Vide order dated 13.09.2019, a Coordinate Bench of this Court had operated the order dated 20.08.2019. The said order shall subsist for the next four weeks from today.

In view of the above, 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, in accordance with law within a period of four weeks from today.

Dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, stands disposed of.

22.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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