

201(A) IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRR-1957-2023 (O&M)

Date of Decision: 22.04.2024

PREETWANT SINGH

...Petitioner

V/S

PALWINDER KAUR AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Bhavna Kapur, Advocate
for the petitioner (through V.C.).

None for respondents.

HARPREET SINGH BRAR J. (Oral)

1. The present revision petition has been filed against the judgment dated 09.01.2020 passed by learned Chief Judicial Magistrate, Kapurthala and the judgment dated 12.07.2023 passed by learned Sessions Judge, Kapurthala and further seeking dismissal of the petition filed by the respondent under The Protection of Women from Domestic Violence Act, 2005.

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 The 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 revision petition.

4. Dismissed as withdrawn with liberty aforesaid.
5. Pending CRM(s), if any, are also disposed of accordingly.

22.04.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No