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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-50873-2021 (O&M)
Date of decision: 24.07.2024

Amanjot Kaur and others

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Navjot Singh, Advocate for
Mr. J.S. Mundi, Advocate for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Impinder Singh Dhaliwal, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking quashing of criminal complaint bearing No.COMA/32/2021 dated 29.04.2021 under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short 'the Act') titled as '*Harpreet Kaur Vs. Arvinderjeet Singh and others*' (Annexure P-2), the summoning order dated 03.05.2021 (Annexure P-3) and the summons dated 05.07.2021 (Annexures P-4 to 6) as well as all the subsequent proceedings arising therefrom.



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 Cr.P.C. cannot be invoked to challenge proceedings emerging out of the Act.

3. Faced with this situation, learned counsel for the petitioners 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 Dismissed as withdrawn with liberty aforesaid.

[HARPREET SINGH BRAR]
JUDGE

24.07.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No