

**CR-4926-2024****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(136)****CR-4926-2024****Date of decision: - 29.08.2024****Ranjana Chalotra****...Petitioner****Versus****Jamit Singh and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Dhruv Sihag, Advocate,
for the petitioner.

**********VIKAS BAHL, J. (ORAL)**

1. Present civil revision has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 07.08.2024 (Anneure P-1) passed by the Additional Sessions Judge, Gurugram and the impugned order dated 29.05.2024 passed by the Judicial Magistrate 1st Class, Gurugram.

2. Learned counsel for the petitioner has submitted that the appellate Court vide order dated 07.08.2024 has observed in para No.10 that the proceedings under the provisions of Domestic Violence Act are quasi civil and criminal in nature and the Court can adopt the procedure as it deems fit and has further observed that the order dated 29.05.2024 was an order akin to the provisions of Order 23 Rule 3 CPC, which envisages a compromise between the parties and has also observed that as

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per provisions in Rule 3A Order 23 CPC, no separate suit shall lie to set aside the said decree or order and efficacious remedy is to file an application to the same Court, thus, the petitioner seeks to withdraw the present revision petition with liberty to file an application under Order 23 Rule 3-A CPC before the Judicial Magistrate 1st Class, Gurugram, who had passed the order dated 29.05.2024. It is stated that the petitioner would file an application on or before 02.09.2024 and has prayed that since as per the impugned order the petitioner who has been staying in the premises has been directed to vacate the same by 30.08.2024 and till 02.09.2024, status quo as it exists today be maintained with respect to the possession of the premises in question.

3. In view of the limited prayer made by learned counsel for the petitioner, the petitioner is permitted to withdraw the present revision petition with liberty to file an appropriate application before the Judicial Magistrate 1st Class, Gurugram who had passed the order dated 29.05.2024. Till 02.09.2024, status quo as it exists today with respect to property in question be maintained between the parties.

4. It is made clear that the grant of the said interim order is only to enable the petitioner to move the said application till 02.09.2024 and the same should not deem to be construed as an expression on the merits of the case and the Judicial Magistrate 1st Class, Gurugram would consider the application independently in accordance with law.

5. It is further clarified that the grant or non-grant of any further interim order would also be considered independently by the Judicial

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Magistrate 1st Class, Gurugram and the grant of the present interim order
would not create any right in favour of the petitioner.

August 29, 2024

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(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No