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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52410-2021
Date of decision: 13.08.2024

HARBINDER KAUR BAJWA

...PETITIONER

V/S

MANDEEP KAUR AND ANOTHER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vishal Sodhi, Advocate for the petitioner.

Mr. Raman Mahajan, Advocate for respondent No.1.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of summoning order dated 16.03.2020 and complaint dated 16.03.2020 (Annexure P-2) filed under Section 12 of Protection of Women From Domestic Violence Act, 2005 whereby, petitioner has been summoned to face trial by learned Judicial Magistrate Ist Class, Chandigahr in case No.Comp DV/58 of 2020 titled as ‘Mandeep Kaur vs. Karan Singh Bajwa and another’.
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.

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3. In view of the above, learned counsel for the petitioner wishes to withdraw the present petition and 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 Dismissed as withdrawn with liberty as prayed for.

August 13, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |