



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

128

CR-5638-2024

Date of Decision: 02.12.2024

Jagjit Kaur

...Petitioner

Versus

Jaswant Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Aaryan Kargwal, Advocate, for
Mr. Vikram Preet Arora, Advocate, for the petitioner.

VIKAS SURI, J. (ORAL)

1. The present petition has been filed under Article 227 of the Constitution of India seeking setting aside of order dated 29.05.2023 passed by learned Judicial Magistrate First Class, Fatehgarh Sahib, whereby the complaint of the petitioner under Sections 12, 18, 19, 20 and 22 of the Protection of Women from Domestic Violence Act, 2005 (for short 'D.V. Act'), has been dismissed.
2. The petitioner had earlier assailed the aforesaid order by way of criminal revision being CRR-2599-2023, however, in the light of *dicta* in CRM-M-19533-2023, titled as *Jaspal Kaur alias Pinki and others vs. State of Punjab and others*, decided on 24.04.2023 by a coordinate Bench, the same was withdrawn with liberty to invoke alternative remedy on the same cause of action.
3. At the outset, learned counsel for the petitioner submits that the



ratio of *Jaspal Kaur alias Pinki*'s case (supra) was called in question in CR-3407-2024, titled as *Hemant Bhagat and others vs. Prekshi Sood Bhagat*, wherein vide order dated 25.10.2024, the reference has been answered by a Division Bench of this Court reversing the earlier view that the provisions of Code of Criminal Procedure, 1973, cannot be invoked to challenge the proceedings emanating from the D.V.Act.

4. In view of the aforesaid, learned counsel for the petitioner seeks withdrawal of the present petition with liberty to seek revival of the Criminal Revision.

5. Dismissed as withdrawn with liberty aforesaid.

December 02, 2024
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(VIKAS SURI)
JUDGE

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