



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-52854-2022

Date of Decision: 12.08.2024

Harish Kumar and others

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioners.

Ms. Rishu Madan, AAG, Punjab.

NIDHI GUPTA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of complaint under Sections 11 and 12 of the Protection of Women from Domestic Violence Act, 2005 (for short- 'the DV Act'), bearing No. Crl. Complaint No. 294/2022 dated 23.03.2022 (Anenxure P-1), titled as 'Smt. Neeru @ Ritika and others vs. Dimple @Dimpi @ Hari Om and others', pending adjudication before the learned Judicial Magistrate Ist Class, Amritsar.

Perusal of the order sheets shows that on the last date of hearing i.e. 16.02.2024, the petitioners have gone un-represented. Even today also, there is no representation on behalf of the petitioners.

Further, perusal of the record reveals that the impugned



complaint (Annexure P-1) was filed under the DV Act, therefore, the instant petition is disposed of, with liberty to the petitioner to take recourse to the appropriate remedy, in accordance with law, in view of judgment dated 24.04.2023 passed by a co-ordinate Bench of this Court in CRM-M-19553-2023, titled as 'Jaspal Kaur Alias Pinki and others vs. State of Punjab and another', wherein it has been held that '*the proceedings under Section 12 of the DV Act are civil in nature, therefore, a petition under Section 482 Cr.P.C. or revision under Section 397 Cr.P.C., assailing the order passed in complaint filed under the provisions of DV Act are not maintainable*'.

In view of the above, the present petition stands disposed of, with the liberty aforesaid.

Pending application(s), if any, stand disposed of.

12.08.2024
rishu

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No