



211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-47752-2022 in/and
CRR-2732-2022 (O & M)
Date of decision: 13.05.2024

MANISH BHARDWAJ

...PETITIONER

V/S

POOJA SHARMA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jivesh Malik, Advocate for the petitioner.

None for the respondent.

HARPREET SINGH BRAR J. (ORAL)

1. The instant petition has been filed for setting aside the impugned judgment dated 08.08.2022 passed by learned Addl. Sessions Judge, Gurugram in CRA No.83 of 2022.

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.

3. Faced with this situation, learned counsel for the petitioner 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.

CRM-47752-2022 in/and
CRR-2732-2022 (O & M)

-2-

4. Dismissed as withdrawn with liberty aforesaid.
5. Pending miscellaneous application(s), if any, also stand(s)
disposed of.

May 13, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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