



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

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**CRM-M-49924-2023 (O&M)**

Date of Decision: 29.07.2024

Shazia @ Sajia

.... Petitioner

Versus

Amzad Ali Khan and others

.... Respondents

**CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: - Mr. Saqib Ali Khan, Advocate  
for the petitioner.

None for the respondent.

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**NIDHI GUPTA, J. (ORAL)**

Prayer in the present petition is for transfer of Complaint No. 3805 dated 17.12.2015 titled as 'Shazia vs. Amzad Ali Khan' under Sections 12, 17, 18, 19, 20 and 23 of Protection of Women from Domestic Violence Act registered at Police Station Kotwali, District Patiala (Annexure P-3) from the Court of Learned Chief Judicial Magistrate, Patiala to any Court of competent jurisdiction of District Malerkotla.

At the very outset, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, also stands disposed of.

29.07.2024  
Divyanshi

(NIDHI GUPTA)  
JUDGE

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |