

Sr.No.109

2024:PHHC:007424

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRR-3952-2016(O&M)

Date of decision:18.01.2024

Gulshan Kumar Gupta

.....Petitioner

Versus

Sunita Gupta

.....Respondent

CORAM: Hon'ble Ms. Justice Harpreet Kaur Jeewan

Present: Mr. Gaurav Sethi, Advocate  
for the petitioner.

Mr. Parminder Singh, Advocate  
For the respondent.

**Harpreet Kaur Jeewan, J.(Oral)**

1. Learned counsel for the petitioner *inter alia* contends that in view of the judgment passed by this Court in **CRM-M- 58023-2023** titled as ***Gautam Singal vs.Anju Singal*** decided on **30.11.2023**, he may be permitted to withdraw the present petition with the liberty to seek alternate remedy and the interim order dated 29.11.2016 be continued for a period of two weeks to enable him to seek appropriate remedy.

2. Learned counsel for the respondent has opposed the prayer made by the petitioner for extension of the interim protection on the ground that even the said order is not being complied with.

3. In the present petition the challenge was to the order dated 19.03.2016 (Annexure P-1) passed under Section 20 of the Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as 'the Act') and to the order dated 07.06.2016 (Annexure P-2) passed in appeal under Section 29 of the Act. In

terms of the order passed in *Gautam Singal's case (supra)* present Criminal Revision Petition under Section 401 Cr.P.C. is not maintainable.

As such, the present petition is dismissed with the liberty to the petitioner to avail alternate remedy as per law. Since the interim protection is continuing for a long time, as such the interim order dated 29.11.2016 passed in the present petition would continue for another 15 days from today.

4. Pending application, if any, shall also stand disposed of.

18<sup>th</sup> January, 2024  
Shivani Kaushik

[HARPREET KAUR JEEWAN]  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |