



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-45609-2019(O&M)

Date of Decision: 29.08.2024

Daya Singh and others

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Ms. Garima Chaudhary, Advocate for
Mr. Amit Arora, Advocate for the petitioners.

Ms. Aakanksha Gupta, A.A.G., Punjab.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C., for quashing of complaint/application No. COMA/110/2019 dated 03.09.2019 under Section 12 read with Sections 17, 18, 19, 20 and 22 of the Protection of Women from Domestic Violence Act, 2005 titled as '*Sandeep Kaur vs. Gurjant Singh and others*' (Annexure P-1) pending in the Court of learned Additional Chief Judicial Magistrate, SAS Nagar (Mohali), District SAS Nagar (Mohali) alongwith all subsequent proceedings arising therefrom.

Reference is to 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’.

Vide order dated 24.10.2019, a Coordinate Bench of this Court had exempted the personal appearance of the petitioners before the learned trial Court. The said order shall subsist for the next four weeks from today.

In view of the above, learned proxy counsel for the petitioners submits that she may be permitted to withdraw the present petition with liberty to take recourse to the appropriate remedy, in accordance with law within a period of four weeks from today.

Dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, stands disposed of.

29.08.2024

Divyanshi

(NIDHI GUPTA)

JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No