



117

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49419-2024

Date of decision: 03.10.2024

Noorjahan

....Petitioner

Versus

State of U.T. Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Ranjinder Singh Sidhu, Advocate
for the petitioner.**HARPREET SINGH BRAR, J. (ORAL)**

The present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 read with Section 482 Cr.P.C. seeking
quashing of complaint No. DV Act/180/2024 (Annexure P-1) titled as
'Muskhan Vs. Ashish and others' filed under Section 12 of the Protection of
Women from Domestic Violence Act, 2005.

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 from Domestic Violence Act, 2005.



CRM-M-49419-2024

-2-

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.

Dismissed as withdrawn with liberty aforesaid.

(HARPREET SINGH BRAR)
JUDGE

03.10.2024
Neha

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