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Date of Decision: 04.11.2024

.....Petitioner

RAVJOT KAUR

.....Respondent

Present: Mr. Mukul Goyal, Advocate for the petitioner.

1. The present revision petition has been filed under Article 227 of the Constitution of India praying for setting aside the impugned order dated 17.01.2017 passed by the JMIC, Jalandhar and order dated 24.05.2017 passed by the Additional Sessions Judge, Jalandhar, vide which, an application filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005, has been allowed.

2. Learned counsel for the petitioner has submitted that earlier the petitioner had filed criminal revision i.e. CRR No.2628 of 2017 challenging the impugned orders and vide order dated 30.07.2024 passed by a coordinate Bench of this Court, the said petition was withdrawn in view of the judgment passed by the Coordinate Bench of this Court in ***CRM-M-19553-2023*** titled as ***“Jaspal Kaur alias Pinki and others vs. State of Punjab and others”*** decided on ***24.04.2023***. It is submitted that as per the judgment dated 25.10.2024 of the Division Bench of this Court passed in ***CR No.3407 of 2024*** titled as ***“Hemant Bhagat and others vs. Prekshi***



Sood Bhagat and other connected matters” the petition under Section 482 Cr.P.C. has been held to be maintainable. It is submitted that in view of the bar under the Cr.P.C., the order dated 30.07.2024 passed in CRR-2628-2017 cannot be recalled and thus, the petitioner be permitted to withdraw the present petition with liberty to file a fresh petition under Section 482 Cr.P.C.

3. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

04.11.2024
pawan/sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No