

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

224

CRR-2585-2022 (O&M)
Date of Decision: 31.07.2024

Manoj Olla and others Petitioners

Versus

State of Haryana and another Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Shokeen Singh Verma, Advocate for the petitioners.

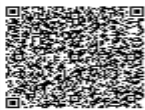
Ms. Deepshikha Chauhan, Assistant Advocate General,
Haryana.

Mr. Vivek Aggarwal, Advocate and
Mr. Vinod Kumar Bansal, Advocate
for respondent No.2.

NIDHI GUPTA, J. (ORAL)

Prayer in the present revision petition is to order dated 31.10.2022 passed by learned Additional Sessions Judge, Gurugram whereby criminal appeal bearing No. 74 of 03.09.2021 titled as '*Manoj Olla and others vs. Meenu Tanwar and another*' against the order dated 20.08.2021 passed by learned Judicial Magistrate 1st Class, Gurugram in an application under Section 23 of the Domestic Violence Act, 2005 for interim maintenance, has been dismissed.

At the very outset, learned counsel for the petitioners 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In view of the above, the present revision petition is dismissed as withdrawn, with the liberty aforesaid.

Pending application, if any, also stands disposed of.

31.07.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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