

CRM-M-52822-2024
Date of decision: 24.10.2024

...PETITIONER

V/S

...RESPONDENTS

Present: Dr. Bandana Trikha Sachdev, Advocate
for the petitioner (through video conferencing).

1. The present petition has been filed under Section 528 BNSS, 2023 for issuance of directions to respondent No.1 to decide the COMA/19/2022 dated 13.09.2022 titled as 'Suman vs. Manga Ram and others' (Annexure P-1) in a time bound manner.

2. 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 against Domestic Violence, 2005.

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3. In view of the above, learned counsel for the petitioner wishes to withdraw the present petition and 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.
4. Dismissed as withdrawn with liberty as prayed for.

October 24, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No