

CRM-M-61198-2023
Date of decision: 24.07.2024

...PETITIONERS

V/S

...RESPONDENT

Present: Ms. Kiranjeet Kaur, Advocate
for the petitioners (through video conferencing).

HARPREET SINGH BRAR J. (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing/setting aside of the COMP DV ACT/278 of 2023 titled as ‘Shafoli vs. Vibhor Chhabra and others’ filed by the respondent under the Protection of Women from Domestic Violence Act, 2005 (Annexure P-1) against the petitioners and other family members and summoning order dated 13.10.2023 (Annexure P-2) and all the consequential proceedings arising therefrom.

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.

3. In view of the above, learned counsel for the petitioners 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 Dismissed as withdrawn with liberty as prayed for.

July 24, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No