



255 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-63535-2023 (O&M)

Date of Decision: 23.07.2024

MOHAN VERMA AND ANOTHER

...Petitioners

V/S

ANJU GARG AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Akash Ahalawat, Advocate
for the petitioners.

Respondent No. 1 in person.

Mr. Vishal Aggarwal, Advocate
for the respondents No. 2 and 3.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed by the petitioners under Section 482 of Cr.P.C. seeking quashing of the order dated 23.10.2023 passed by learned Additional Sessions Judge, Mansa in CRR No. 39 of 2023, whereby the appeal filed by the petitioners were dismissed as being not maintainable as well as the order dated 18.07.2023 passed by learned Judicial Magistrate Ist Class in CRM-M-79-2017 dismissing the objection petition filed by the petitioners.

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. Faced with this situation, learned counsel for the petitioners 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 Dismissed as withdrawn with liberty aforesaid.

23.07.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

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