

CRM-24044-2024
CRM-31352-2024 in/and
CRR-2929-2023 (O&M) -1-

2024:PHHC:102960



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

104+228

CRM-24044-2024
CRM-31352-2024 in/and
CRR-2929-2023 (O&M)

Date of Decision: 09.08.2024

Tarun Narang

.... Petitioner

Versus

Punita Girhotra

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Rohit Samhotra, Advocate for the petitioner.

Mr. Deepak Sabherwal, Advocate for the respondent.

NIDHI GUPTA, J. (ORAL)

Challenge in the present petition is to common judgment and order dated 21.11.2023 passed by learned Additional Sessions Judge, Gurugram in CRA/390/2023 titled as '*Tarun Narang vs. Punita Girotra & Anr.*' and CRA/512/2023 titled as '*Punita Girotra & Anr. vs. Tarun Narang*' whereby learned Additional Sessions Judge, Gurugram had partially allowed the appeal CRA/512/2023 and dismissed CRA/390/2023, which were preferred against the order dated 15.06.2023 passed by learned Judicial Magistrate 1st Class, Gurugram in DV/326/2022 allowing interim maintenance application of the respondent/wife.

At the very outset, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to

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take recourse to the appropriate remedy within a period of four weeks from today, 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In view of the above, the present petition is dismissed as withdrawn, with the liberty aforesaid.

Pending applications stand disposed of.

09.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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