



233 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-64247-2023
Date of decision: 17.09.2024

SHIVLEEN KAUR AND ANOTHER

...PETITIONERS

V/S

KASHISH DHIMAN AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Chandeeep Singh, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed by the petitioners making prayer for setting aside order dated 03.11.2023 (Annexure P-6) passed by learned Judicial Magistrate 1st Class, Ludhiana in complaint No.10374/2018 titled as 'Shivleen Kaur Vs. Kashish Dhiman' whereby, an application moved by the petitioners for giving direction to the respondent No.1-husband for refilling of income affidavit with better particulars had been dismissed.

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 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 Dismissed as withdrawn with liberty as prayed for.
5. Pending miscellaneous application(s), if any, also stand(s) disposed of.

September 17, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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