



236 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR-4-2024

Date of decision: 28.08.2024

MONIKA

...PETITIONER

V/S

VIPIN AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ravi Kamal Gupta, Advocate
for the petitioner.

Mr. Satpal Bhasin, Advocate
for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed by the petitioner challenging the judgment dated 20.10.2023 passed by learned Additional Sessions Judge, Sonapat, whereby, while allowing the appeal filed under Section 29 of Protection of Women from Domestic Violence Act, 2005 by respondent-husband, the amount of maintenance as directed to be paid to the petitioner was reduced from Rs.8,000/- to Rs.3,350/- per month only.

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 appearing on behalf of 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 Dismissed as withdrawn with liberty as prayed for.

August 28, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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