



CRM-M-42844-2025 (O&M)

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

116

CRM-M-42844-2025 (O&M)

Date of Decision:-23.09.2025

Manoj Singal and others

.....Petitioners

Versus

Priyanka Singhal

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Surinder Gandhi, Advocate
for the petitioner.

ALOK JAIN, J. (Oral)

1. The present petition has been filed *inter alia* seeking quashing of complaint No. D.V. 194 dated 21.11.2016 (Annexure P-1) and order dated 03.06.2025 passed by learned Additional Sessions Judge, Gurugram in Criminal Appeal No. 116 of 2019 (Annexure P-6).

2. Learned counsel for the petitioners submits that the respondent had filed a complaint under the Domestic Violence Act against the petitioners. The trial Court issued the summons the petitioners who appeared and straightway filed an application for dismissal of the complaint as the same being barred by limitation under Section 468(2) of Cr.P.C. The said application filed by the petitioners was allowed by the trial Court vide order dated 04.05.2019. Thereafter, the respondent-wife filed an appeal under Section 29 of D.V. Act against the said order and the appeal came to be allowed vide order dated 03.06.2025 by the learned Appellate Court and the petitioners were directed to appear before the learned trial Court on



07.07.2025.

3. Learned counsel for the petitioners fairly submits that the petitioners have not yet appeared before the trial Court till date. Learned counsel further submits that the Appellate Court has fell in error in allowing the appeal and when the petitioners had raised an issue as to the maintainability of the complaint filed against petitioners No. 2 to 5, the liberty was granted to petitioners No. 2 to 5 to raise all the pleas for deletion of their names from the arena of respondents of the complaint.

4. Learned counsel for the petitioners has raised an argument that above-stated liberty would amount to a direction to review the order passed by the learned trial Court as the Court below have already passed the summoning order. He also submits that the Appellate Court fell in error in not considering his contention with regard to the limitation as envisaged under Section 468(2) of Cr.P.C. Learned counsel for the petitioner has also raised an argument that petitioners No. 2 to 5 have never been part of any shared household, therefore, the issue of any domestic violence *qua* them does not arise as they would not fall under the definition of any domestic relationship with the complainant.

5. Heard learned counsel for the petitioners at length.

6. Admittedly, the summoning order passed by the Court below has never been challenged in the last 8 years. The only prayer made by the petitioners after being summoned was seeking dismissal of the complaint only on the ground of limitation. The application (Annexure P-2), the head note and the prayer clause clearly records the same. There is not even a prayer or any challenge to the summoning order in the above-stated



application except the bald averment in para 11 of the application containing that petitioners No. 2 to 5 never had any domestic relationship. It is a settled preposition of law that there is no starting point for limitation for filing the complaint. Domestic Violence is a recurring cause of action and since, there is no starting point for limitation, the rigors of Section 468 Cr.P.C. would not come into play.

7. The learned trial Court has rightly relied upon the settled principle of law as held by the Hon'ble Apex Court in its various pronouncements including that of "*Kamatchi Vs. Lakshmi Narayanan*", **2022 (2) RCR 751**. In the absence of any challenge to the summoning order, the petitioners cannot raise the ground that the learned trial Court cannot review its own order as the First Appellate Court has given the liberty to petitioners No. 2 to 5 to raise all these issues before the learned trial Court.

8. In light of the above, finding no infirmity in the order passed by the first Appellate Court, the present petition stands dismissed.

9. Pending application(s), if any, shall stands disposed of.

(ALOK JAIN)
JUDGE

September 23, 2025

Parul

Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No