



CR-3174-2024(O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CR-3174-2024(O&M)

Date of decision : 25.02.2025

Saurabh Parwal

... Petitioner

Versus

Girija Parwal and others

... Respondents

***CORAM: HON'BLE MR. JUSTICE VIKAS BAHL***

Present: Mr.Vikas Jain, Advocate and  
Mr.Yashveer Kharb, Advocate  
for the petitioner.

**VIKAS BAHL, J.(ORAL)**

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India read with Section 151 CPC against the judgment dated 29.11.2022 passed in Criminal Appeal no.09 of 10.01.2022 (Annexure P-1) vide which interim maintenance order passed by the the JMFC, Gurugram dated 03.12.2021 was set aside and the interim maintenance awarded by the trial Court was ordered to be enhanced.

2. Learned counsel for the petitioner has submitted that the petitioner had earlier filed a criminal revision i.e., CRR-737-2023 which was withdrawn on 05.04.2024 in view of the judgment of the Single Bench holding that the said proceedings were not criminal in nature. It is submitted that as per the judgment dated 25.10.2024 of the Division Bench of this Court passed in ***CR no.3407 of 2024*** titled as "***Hemant Bhagat and others***



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*vs. Prekshi Sood Bhagat and other connected matters*” the petition under Section 482 Cr.P.C. has been held to be maintainable. It is submitted that in view of the bar under the Cr.P.C. the order dated 05.04.2024 passed in CRR-737-2023 cannot be recalled and thus, the present petitioner be permitted to withdraw the present petition with liberty to file a fresh petition under the provision of the Code of Criminal Procedure.

3. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

4. Pending application, if any, stands disposed of in view of the abovesaid order.

(VIKAS BAHL)  
JUDGE

**February 25, 2025**

*Davinder Kumar*

Whether speaking / reasoned  
Whether reportable

Yes/No  
Yes/No