

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRMP No. 1156 of 2016**

1. Manohar Nihal S/o Lakhan Nihal Aged About 30 Years R/o Sector 6-C, Market Shop No. 713, Bhilai Nagar, Civil & Revenue District Durg, Chhattisgarh.
2. Smt. Vimla Nihal W/o Lawan Nihal Aged About 55 Years R/o Sector 6-C, Market Shop No. 713, Bhilai Nagar, Civil & Revenue District Durg, Chhattisgarh.
3. Rajkumar Nihal S/o Lawan Nihal Aged About 24 Years R/o Sector 6-C, Market Shop No. 713, Bhilai Nagar, Civil & Revenue District Durg, Chhattisgarh.
4. Murlidhar Nihal S/o Lawan Nihal Aged About 28 Years R/o Sector 6-C, Market Shop No. 713, Bhilai Nagar, Civil & Revenue District Durg, Chhattisgarh.
5. Lawan Nihal S/o Biresh Nihal Aged About 65 Years R/o Sector 6-C, Market Shop No. 713, Bhilai Nagar, Civil & Revenue District Durg, Chhattisgarh.

**---- Petitioners**

**Versus**

1. State Of Chhattisgarh Through Police Station Bhilai Nagar, Civil & Revenue District Durg, Chhattisgarh.
2. Smt. Madhu Nihal W/o Manohar Nihal Aged About 29 Years R/o Sector 8, Road No. 44, Quarter No. 1, Bhilai Nagar, District Durg, Chhattisgarh.

**---- Respondents**

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|---------------------------|---|------------------------------|
| For Petitioners           | : | Shri Punit Ruparel, Advocate |
| For Respondent No.1/State | : | Shri B. Gop Kumar, Dy. A.G.  |
| For respondent No.2       | : | Respondent in person         |

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**S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**10/11/2016**

1. There is an application for correction in the cause title on the submission that wrongly the name of petitioner No.1- Manohar Nihal was mentioned as Smt. Manohar Nihal, D/o Lawan Nihal and, therefore, correction has been sought.

2. Upon due consideration, the application is allowed. Let necessary correction be carried out during the course of the day.

**(Manindra Mohan Shrivastava)**  
Judge

**Later on :**

Heard.

1. Petitioner No.1/husband- Manohar Nihal and respondent No.2/wife- Smt. Madhu Nihal, the complainant, are present in the Court.
2. Learned counsel for the petitioners submits that the necessary correction has already been made.
3. The petitioner No.1 is the husband and petitioners No. 2 to 5 are mother-in-law, brother-in-law and father-in-law of wife-Smt. Madhu Nihal, respondent No.2.
4. This petition under Section 482 Cr.P.C. has been filed by the petitioners supported by respondent No.2 Smt. Madhu Nihal, for quashing criminal proceedings on the report lodged by respondent No.2-wife against the petitioners alleging commission of offence under Section 498-A read with Section 34 IPC.
5. Smt. Madhu Nihal, the wife, is also present in the Court. Both petitioner No.1- Manohar Nihal, husband and respondent No.2 Smt. Madhu Nihal, the wife, state before the Court that all kind of disputes between the husband and wife have now been resolved and they are willing to bring to an end all kind of proceedings pending against each of them including the criminal proceedings out of which this petition has arisen in the larger interest of their marital life and taking into consideration the welfare of their daughter Ku. Ruchika Nihal, aged 7 years.
6. Taking into consideration the averments made in the petition supported by affidavit of the petitioner and application for compromise filed by respondent

No.2-wife before the Court below, placed collectively on record of this Court as Annexure P-3 and further taking into consideration the submissions made by learned counsel for the parties as also that the husband/petitioner No.1 and the wife/respondent No.2 have resolved all their disputes and that respondent No.2-wife has clearly stated before this Court that she has resolved her disputes, which is not under any threat, coercion or any misrepresentations, relying upon the decision of the Supreme Court in the case of **B.S. Joshi and others Vs. State of Haryana and another**<sup>1</sup> and orders passed by this Court in the case of **Sandip Kumar & Ors. Vs. State of C.G.**<sup>2</sup> and **Paras Dahariya and another Vs. State of C.G. & another**<sup>3</sup>, in the opinion of this Court, it would be in the interest of the petitioner-husband and wife-responderent that the present criminal case is brought to an end to pave way for peaceful and happy matrimonial life.

7. Accordingly, the petition is allowed. The criminal proceedings in Criminal Case No. 105 of 2010 and all other connected proceedings pending in the Court of Judicial Magistrate First Class, Durg, are hereby quashed.

Sd/-  
(**Manindra Mohan Shrivastava**)  
Judge

Praveen

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1 AIR 2003 SC 1386

2 Cr.M.P. No.684/10 decided on 1.10.2010

3 Cr.M.P. No.810/10 decided on 22.11.2010