

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

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**CACP No. 8 of 2015 (O & M)  
Date of decision : 18.1.2016**

**Munish**

**.....Appellant**

**v.**

**State of Haryana**

**.....Respondent**

**CORAM : HON'BLE MR. JUSTICE T.P.S. MANN  
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present : Appellant in person with  
Mr. S.P. Chahar, Advocate  
  
Mr. Praveen Bhadu, AAG, Haryana

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**T.P.S. MANN, J.**

Order dated 17.11.2015 passed by the learned Single Judge in COCP No. 2187 of 2014 has been challenged by the appellant in the present appeal.

Vide impugned order, learned Single Judge convicted the appellant for committing civil contempt and sentenced him to undergo simple imprisonment for two months and also burdened him with fine of Rs. 2,000/-. In case of default in payment of fine, he was directed to undergo further simple imprisonment for a period of one month.

When the appeal was taken up for preliminary hearing on 17.12.2015, the appellant was present in Court and stated that he was ready and willing to tender unqualified apology in not complying with the other process of the Court. In view of the same, notice was issued to Advocate General, Haryana

and in the meantime, operation of the impugned order was stayed.

The appellant has, once again, come present in person and has filed his affidavit tendering unconditional apology to this Court for not complying with the other process of the Court.

The appellant had obtained an order of nullity of marriage on 11.4.2013. Appeal against the said order was filed by his wife on 29.5.2013 and upon notice, the appellant was served on 1.9.2013. However, in the meantime, he had re-married on 28.8.2013.

It may not be out of mention here that the appeal filed by the wife has already been disposed of as having become infructuous on account of the wife passing away during its pendency.

The unconditional apology tendered by the appellant is accepted. Accordingly, the appeal is allowed and the impugned order dated 17.11.2015, holding the appellant guilty of committing civil contempt and convicting and sentencing him, is set aside.

**(T.P.S. MANN)**  
**JUDGE**

**(RAMENDRA JAIN)**  
**JUDGE**

**18.1.2016**  
*Ashwani*