

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.710 of 2012

Hrudananda Mahanta & others* *Petitioners

-versus-

State of Orissa & others* *Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

04.04.2022

Order
No.

05. 1. This matter is taken up by Hybrid mode.
2. This application under Section 482 Cr.P.C. has been filed by the Petitioners for quashment of the FIR in connection with Karanjia P.S. Case No.185 of 2011 corresponding to G.R. Case No.513 of 2011 pending in the court of the learned S.D.J.M., Karanjia.
3. Heard learned counsel for the Petitioners. None appears for the Opposite Party No.2 in spite of sufficiency of service.
4. It appears that this is a case of elopement. After complaint petition having been filed before the learned S.D.J.M., Karanjia and since the same disclosed a cognizable offence, learned Magistrate in exercise of the power under Section 156(3) Cr.P.C had sent the same to the concerned Police Station for registration of the case and investigation. Therefore, the Petitioners have filed this petition for quashment of the same.

5. Since the FIR allegation reveals a cognizable offence, this Court is not inclined to quash the FIR on the ground stated. Accordingly, this CRLMC stands dismissed.

6. However, liberty is given to the Petitioners to approach this Court if the compromise has been reached in the meantime and if a joint petition for quashing the proceeding on the ground of compromise is filed.

7. Interim order passed earlier stands vacated. This order be communicated to the trial court immediately.

(S. Pujahari)
Judge

PKS