

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 6359 of 2014

Kalia Rana & Others

.... **Petitioners**

Mr. P.K.Parida , Advocate

-Versus-

State of Odisha & Another

.... **Opposite Parties**

Mr. G.R. Mohapatra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

22.07.2022

Order No.

- 05.
1. Heard learned counsel for the petitioners and learned ASC for the State as well as the learned counsel for the opposite party No.2.
 2. Instant petition Section 482 of Cr.P.C. is filed by the petitioners for quashing of the F.I.R. in Tigiria P.S. Case No.125 of 2014 corresponding to C.T. Case No. 124 of 2014 pending before the court of learned J.M.F.C., Tigiria on the ground that the parties have compromised and settled the differences, in support of which, an affidavit dated 1st December, 2014 as at Annexure-3 is referred to sworn by the informant along with father of petitioner No.1.
 3. The copy of the affidavit which is at Annexure-3 reveals that after the case was instituted, both sides on intervention of local gentries settled the dispute and on that ground, the proceeding is sought to be quashed. In support of such a compromise, an affidavit dated 16th February, 2015 sworn by the informant is also filed by the

informant. The F.I.R. being lodged on 26th November, 2014, Tigriria P.S. Case No. 125(14) of 2014 was registered under Section 307 IPC and other allied offences and as revealed from the F.I.R., the petitioners and others alleged to have committed certain overt acts having assaulted the informant and causing injuries to him.

4. Learned counsel for the petitioner and opposite party No.2 submit that immediately after the incident on 1st December, 2014, the parties compromised the matter. On perusal of Anneuxre-3, such compromise is stated to have been effected between the sides. The informant himself filed an affidavit to that effect. No doubt, one of the offences under Section 307 IPC is not compoundable in nature but having regard to the settled position of law as enunciated by the Supreme Court time and again, wherein, it has been held and observed that the case of compromise which is between the parties on their own without being any kind of coercion or influence exerted, inherent jurisdiction may be exercised to quash the proceeding pending before the court below. The above settled position of law has been reiterated by the Supreme Court by stating that the High Courts may in exercise of its inherent jurisdiction quash the proceeding in order to secure the ends of justice.

5. Having regard to the above facts and submissions of the learned counsel for the petitioners and opposite party No.2, the Court is inclined to quash the proceeding in view of the compromise reached at between the parties.

6. Accordingly, it is ordered.

7. In the result, CRLMC stands allowed. Consequently, the proceeding in C.T. Case No. 124 of 20145 arising out of Tigriria

P.S.Case No. 125 of 2014 pending before the learned court of J.M.F.C.,
Tigiria is hereby quashed.

(R.K. Pattanaik)
Judge

kabita

