

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1141 of 2012

Bichitra Nath

....

Petitioner

Mr. Partha Sarathi Nayak, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P. K. Muduli, AGA and

Ms. Jemima Sarkar, Advocate for Opposite Party No.2

**CORAM:
THE CHIEF JUSTICE**

**ORDER
13.05.2022**

Order No.

- 08.
1. Mr. Rakesh Behera and his associate, Ms. J. Sarkar, learned counsel enter appearance for Opposite Party No.2 and file their Vakalatnama along with an affidavit today, which is taken on record.
 2. An affidavit has been filed by Opposite Party No.2 stating *inter alia* that she has been married to the Petitioner for over 10 years now and that she has no objection if the order dated 12th December, 2011 passed by the J.M.F.C., Chandikhole in G.R. Case No.660 of 2011 arising out of Balichandrapur P.S. Case No.114 of 2011 against the Petitioner is quashed.
 3. It is noted that the couple have two children in the meanwhile. The Court also perused the order already passed by this Court on 17th May, 2012 in the present matter noting that the in-laws of

Opposite Party No.2 given an assurance that they would take good care of Opposite Party No.2.

4. In view of all of the above developments, the Court quashes the order dated 12th December, 2011 passed by the J.M.F.C., Chandikhole taking cognizance against the Petitioner in G.R. Case No.660 of 2011 arising out of Balichandrapur P.S. Case No.114 of 2011.

5. The petition is allowed, but in the circumstances, with no order as to costs. The interim order passed earlier stands vacated.

6. The Superintendent of the concerned Branch is directed to immediately communicate this order to the J.M.F.C., Chandikhole.

(Dr. S. Muralidhar)
Chief Justice

M. Panda