

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.6470 of 2014

M.S. Srinivas

....

Petitioner

-versus-

State of Odisha & another

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

10.08.2022

Order
No.

10.

1. This matter is taken up through Hybrid Mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioner for quashment of the FIR in connection with Purighat P.S. Case No.58 of 2014 corresponding to G.R. Case No.791 of 2014 pending in the court of learned S.D.J.M (S), Cuttack. The offences alleged against the Petitioner are under Sections 419/420/468/34 IPC.
3. Heard learned counsel for the Petitioner and learned counsel for the State so also learned counsel for the Opposite Party No.2.
4. It appears that the amount involved in this case is Rs.70,000/- and the Opposite Party No.2 has received the said amount from the Petitioner and he has no grievance against the Petitioner.
5. Learned counsel for the State has received the instruction from the Purighat Police Station and submits that Opposite Party No.2 has already received the aforesaid money from the Petitioner.

Therefore, he has no grievance against the Petitioner. The said instruction filed in Court today be kept on record.

6. Considering the facts and the submissions made, especially the amount of Rs.70,000/- has already been received by the Opposite Party No.2 from the Petitioner and the Informant does not want to proceed against the Petitioner, which is substantiated by the Police report, so also the nature of accusation, no useful purpose is going to be served to continue with the prosecution as there is bleak chance of conviction in this case hereinafter. Hence, allowing the prosecution hereinafter shall be an abuse of the process of the Court. This Court, therefore, in exercise of the inherent power under Section 482 Cr.P.C. allows this Criminal Misc. Case. Consequently FIR in Purighat P.S. Case No.58 of 2014 against which G.R. Case No.791 of 2014 pending in the court of learned S.D.J.M (S), Cuttack stands quashed. The court concerned shall do the needful to close the proceeding in view of the aforesaid order, on receipt of the certified copy of this order or communication from this Court, whichever is earlier.

7. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge