

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1876 of 2014

Baishnba Samal

....

Petitioner

Mr. Suraj Mohanty, Advocate

-versus-

State of Odisha and Another

....

Opposite Parties

Mr. Ishwar Mohanty, Addl. Standing Counsel

**CORAM:
THE CHIEF JUSTICE**

Order No.

**ORDER
15.07.2022**

07. 1. The present petition seeks the quashing of an order dated 30th November, 1998 passed by the J.M.F.C., Digapahandi taking cognizance of the offences against the Petitioner in G.R. Case No.291 of 1997 arising out of Hinjili P.S. Case No.111 of 1997.
2. It is pointed out that of the three accused persons, the other two except the Petitioner have already been acquitted by the trial Court. Opposite Party No.2, who is the complainant, has in his deposition in the trial stated that the matter already stood compromised between the parties and that he is not interested in pursuing the matter. The deposition as recorded by the J.M.F.C., Digapahandi on 11th January, 2002 is enclosed as Annexure-4 to the present petition.
3. Although Opposite Party No.2 was served and at one stage was represented by the counsel, today none appears on his behalf.

4. Learned Additional Standing Counsel for the State unable to dispute the fact that the other two accused have already got acquitted on the statement of the complainant that there is a compromise between him and the accused.

5. In that view of the matter, the order dated 30th November, 1998 of the J.M.F.C., Digapahandi and all proceedings in G.R. Case No.291 of 1997 arising of the Hinjili P.S. Case No.111 of 1997 are hereby quashed.

6. The petition is disposed of in the above terms. An urgent certified copy of this order be issued as per rules. A copy of this order be sent to the concerned Court forthwith.

(Dr. S. Muralidhar)
Chief Justice

S.K. Jena/Secy.