

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.399 of 2022

Jaskirat Singh Sabharwal ***Petitioner***

-versus-

State of Odisha & another ***Opposite Parties***

CORAM: JUSTICE S.PUJAHARI

Order
No.

ORDER
12.08.2022

03. 1. This matter is taken up through Hybrid Mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioners for quashment of the order dated 03.01.2015 passed by the learned S.D.J.M., Cuttack in G.R. Case No.1811 of 2014 wherein the learned S.D.J.M has taken cognizance under Sections 506/507 IPC against him.
3. Heard learned counsel for the Petitioner and learned counsel for the State so also learned counsel for the Opposite Party No.2.
4. Opposite Party No.2-Informant has appeared personally and states that he does not want to proceed with the case. The offences alleged against the Petitioner are under Sections 506/507 IPC.
5. A joint affidavit has also been filed by the Petitioner and Opposite Party No.2-Informant wherein it is stated that the

dispute between them has been settled amicably and Opposite Party No.2 does not want to proceed with the case. Aadhaar card of the Petitioner and the Opposite Party No.2-Informant filed which are duly attested by them are kept on record.

6. Considering the joint affidavit filed by the Petitioner and the Opposite Party No.2-Informant and on hearing learned counsel for the parties, so also the fact that the Opposite Party No.2 does not want to proceed with the case, this Court is of the view that no useful purpose is going to be served to continue with the prosecution hereinafter as there is bleak chance of conviction in this case. 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 G.R. Case No.1811 of 2014 arising out of Cantonment P.S. Case No.88 of 2014 pending in the court of learned S.D.J.M., 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