

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 359 OF 2021

Bipin Bihari Samal & Others.

..... *Petitioners*
Mr. R.K. Prusty, Advocate

-versus-

State of Odisha & Another

..... *Opposite Parties*
Mr. D. Mund, AGA
Mr. P.K. Mohanty, Adv for OP-2

CORAM:
JUSTICE V. NARASINGH

ORDER
09.05.2022

Order No.

03.

1. This matter is taken up through Hybrid Mode.
2. Heard Mr. R.K. Prusty, learned counsel for the petitioners, Mr. D. Mund, learned Additional Government Advocate for the State and Mr. P.K. Mohanty, learned counsel appearing for the Opposite Party No.2.
3. The aforesaid CRLMC has been filed for quashing of the proceeding in G.R. Case No.1682 of 2018 on the file of Learned S.D.J.M.(S), Cuttack arising out of Cuttack Mahila P.S. Case No. 81 of 2018. During pendency of the CRLMC with the intervention of the well-wishers from both the sides, the matter is stated to have been compromised and settled out of Court.

4. An Affidavit has been filed by the informant-Opposite Party No.2 evidencing such compromise at Flag-2 of this petition. It is stated in the said affidavit inter alia in Paragraph-4, which germane for disposal of the present lis is quoted hereunder;

“That, in view of the settlement I do not want to proceed with the G.R. Case No. 1682 of 2018 pending in the Court of learned SDJM (S), Cuttack basing on the FIR lodged by me before the Mahila Police Station, Cuttack which is enclosed to CRLMC by the petitioner as Annexure-I. So, I have no objection if the prayer of the petitioner is allowed by quashing the G.R. Case No. 1682 of 2018 arising out of Mahila P.S. Case No. 81 of 2018 U/S 498(a), 307, 354-B, 294, 506, 34 of I.P.C and 4 D.P. Act.”

5. In view of the submissions made and taking into account the affidavit of the informant and in tune with the law laid down by the Apex Court in case of ***Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karkur and others v. State of Gujarat and another***, reported in ***AIR 2017 SCC 4843***, the proceeding in connection with G.R. Case No.1682 of 2018 on the file of Learned S.D.J.M.(S), Cuttack arising out of Cuttack Mahila P.S. Case No. 81 of 2018 stands quashed, in exercise of power under Section-482 Cr.P.C.

7. The CRLMC thus stands disposed of.

8. Urgent certified copy of this order be granted as per rule.