

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 876 OF 2020

Pratap Behera

..... *Petitioner*
Mr. B.P. Mohanty, Advocate

-versus-

State of Odisha & Another

..... *Opposite Parties*
Mr. D.Mund, AGA

CORAM:
JUSTICE V. NARASINGH

ORDER
04.05.2022

Order No.
04.

1. This matter is taken up through Hybrid Mode.
2. Heard Mr. B. P. Mohanty, learned counsel for the petitioner, Mr. D. Mund, learned Additional Government Advocate for the State and Mr. D. Behera, learned counsel appearing for the Opposite Party No.2.
3. Learned counsel for the Opposite Party No.2 referring to the affidavit at Flag-B submits that, the subject matter of the lis has been amicably settled with the intervention of the well-wishers of both the families. Paragraph-3 of the affidavit germane for just adjudication is quoted hereunder;

“That, my marriage was solemnized with the petitioner on dtd. 20.05.2015 in accordance with Hindu rites and customs and since then we are living a happy conjugal

life, but due to some misunderstanding the present FIR was filed by me, but on the intervention of our family members now I am staying with my husband and living a happy conjugal life by realizing my mistake.”

4. Both the petitioner and Opposite Party No.2 are present in Court and are identified by their respective counsels.

5. Taking note of the submissions of the learned counsel for the Opposite Party No.2 and on perusal of the recitals in the affidavit, the criminal proceeding in G.R. Case No.882 of 2016 arising out of Kaniha P.S. Case No. 130 of 2016 on the file of Learned S.D.J.M., Talcher is quashed, taking into account, the affidavit filed, in the tune of the law laid down by the Apex Court in the Case of ***Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karkur and others v. State of Gujarat and another***, reported in ***AIR 2017 SCC 4843***.

6. The CRLMC thus stands disposed of.

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

Balaram

**(V.Narasingh)
Judge**