

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4405 of 2015

Smt. Reema Mishra and another *Petitioners*
-versus-
Sosa Nanda Mishra and others *Opposite Parties*

CORAM: JUSTICE S. PUJAHARI

ORDER

10.02.2022

Order
No.

08. 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 with a prayer to quash the order dated 12th March, 2015 passed by the learned Sessions Judge, Jeypore in CR.R.P. No.03 of 2015 staying the further proceeding of M.C. No.135 of 2014 pending in the Court of J.M.F.C., Jeypore filed by the Opposite Party No.1 under the P.W.D.V. Act.
3. Heard the learned counsel for the parties.
4. Mediation is successful. Decree has already been passed in terms agreed in the matrimonial proceeding.
5. The learned counsel for the Petitioners would submits that an order be passed directing the Court in seisin over the matter to drop the aforesaid proceeding under the P.W.D.V. Act initiated by Opposite Party No.1 as the Petitioners does not want to proceed with the same.

6. The learned counsel for the Opposite Parties submits that though an interlocutory order is passed in the aforesaid Criminal Revision Petition, which is challenged, but in view of the subsequent development, the P.W.D.V. case be dropped.

7. Considering the facts and submissions made, especially the fact that the aforesaid party, who has filed this Criminal Misc. Case challenging the order of the learned Sessions Judge, Koraput at Jeypore, staying further proceeding of M.C. No.135 of 2014, pending before the court of J.M.F.C., Jeypore, but now she does not want to continue of the said P.W.D.V. case in view of the compromise, as no useful purpose is going to be served in continuing the proceeding under the P.W.D.V. Act at the instance of the Petitioner, the continuance of the said proceeding shall be an abuse of process of court.

8. Hence, this Court in exercise of power under Section 482 of Cr.P.C. for the ends of justice, quashed the M.C. No.135 of 2014 pending in the Court of J.M.F.C., Jeypore or before the Court in seisin over the matter and consequently, the CR.R.P. No.03 of 2015 before the learned Sessions Judge, Koraput at Jeypore being rendered infructuous for such order, the same stands dropped.

(S. Pujahari)
Judge