

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 265 of 2015

Tapan Kumar Sethi and others Petitioners
Mr. B.S. Dasparida, Advocate

-Versus-

State of Odisha and another Opposite Parties
Mr.P.K. Rout, AGA, O.P. No.1
Mr. J. Pradhan, Advocate for O.P. No.2

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
24.08.2022

Order No.

12. 1. Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for opposite party No.2.
2. The present petition under Section 482 Cr.P.C. has been filed by the petitioners for quashing of the criminal proceeding in G.R. Case No.372 of 2014 arising out of Banpur P.S. Case No.246 of 2014 pending in the file of learned J.M.F.C., Banpur on the grounds stated therein.
3. Perused the FIR as at Annexure-1.
4. Learned counsel for the petitioners submits that there is a compromise between the parties by referring to the affidavit filed by opposite party No.2 considering which prayer is made to quash the proceeding in view of the settlement reached at between them.
5. Perused the affidavit dated 4th March, 2015 of opposite party No.2, wherein, it has been mentioned that she received the entire dues and therefore, does not want to proceed with the case

any further and has also no objection if the criminal proceeding is quashed against the petitioners on account of such settlement between them.

6. In fact, the FIR was lodged in the year 2014, consequent upon which, Banpur P.S. Case No.246 of 2014 was registered under Sections 420/409/34 of I.P.C. However, it is submitted by learned counsel for the petitioners that the parties have compromised the matter amicably between themselves. Having regard to the affidavit filed by opposite party No.2 and that she did receive all her dues back from the petitioners, the Court is of the view that no fruitful purpose would be served in allowing continuance of the criminal proceeding pending before the court below. In other words, the proceeding against the petitioners should be quashed on account of the aforesaid development as to the resolution of the dispute.

7. In the result, the proceeding in G.R. Case No.372 of 2014 arising out of Banpur P.S. Case No.246 of 2014 pending in the file of learned J.M.F.C., Banpur is hereby quashed.

8. The CRLMC is accordingly disposed of.

(R.K. Pattanaik)
Judge

U.K.Sahoo