

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2262 of 2013

Bikash Kumar Panigrahi

....

Petitioner

-versus-

Dharitri Dash

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

13.07.2022

Order No.

07.

- 1.This matter is taken up through Hybrid mode.
- 2.This application under Section 482 of Cr.P.C. has been filed by the Petitioner-husband with a prayer to quash the proceeding in connection with Misc. Case No.89 of 2012 pending in the court of learned J.M.F.C., Sundargarh under Section 12 of the P.W.D.V Act. According to him, the Opposite Party-wife is deliberately not appearing in the said proceeding initiated by her and keeping the matter pending. The allegation being false and concocted, the proceeding in this case is liable to be quashed.

3. Learned counsel for the Petitioner during the course of hearing advancing the aforesaid submission and drawing the notice of the Court about the conduct of the Opposite Party-wife submits that she is deliberately not appearing in this case and cooperating for disposal of the case. Therefore, the proceeding being based on concocted allegation, the same is liable to be quashed.

4. Learned counsel for the Opposite Party-wife submits that such contention of the learned counsel for the Petitioner-husband is without any substance and the petition is liable to be dismissed.

5. Needless to say that for non-cooperation of the Opposite Party-wife and not participating in the conciliation proceeding, the same is not a ground to come to a conclusion that the allegation made in the aforesaid case is false as such the same should be quashed on the ground stated.

6. Accordingly, this CRLMC stands dismissed.

7. However, since the aforesaid case is a year old one, the court concerned shall dispose of the same as expeditiously as possible, preferably within six months hence and the parties are directed to cooperate for early disposal of the same.

8. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge

PKS

