

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3099 of 2013

Kalandi Behera

....

Petitioner

-versus-

***Satyananda Behera &
another***

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

01.08.2022

**Order
No.**

10.

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 for quashment of the proceeding in ICC No.1270 of 2013 pending in the court of learned S.D.J.M., Bhubaneswar.
3. It appears that the Petitioner and the Opposite Party No.1- Complainant were in litigating terms. Many cases are pending against them. In the meanwhile they have compromised Civil Suit No.412 of 2013 pending in the court of learned 1st Addl. Civil Judge (Senior Division), Bhubaneswar and the decree has been drawn.

4. Mr. Mohanty, learned Senior Advocate appearing for the Petitioner, has filed the certified copy of the plaint as well as compromise petition along with the certified copy of the order dated 14.09.2019 passed by the learned 1st Addl. Civil Judge (Senior Division), Bhubaneswar in Court today. The same be kept on record. Mr. Mohanty, drawing the notice of the Court to clause-(i) of the compromise petition submits that the parties have decided to withdraw ICC No.1270 of 2013 pending before the learned S.D.J.M., Bhubaneswar and also withdraw different criminal cases pending between the parties in the said court but in spite of the notice issued to Opposite Party No.1, he has not appeared in this case.

5. Taking note of the aforesaid facts and the submission made, so also the offence being trivial in nature, this Court allows this Criminal Misc. Case and consequently ICC No.1270 of 2013 pending in the court of learned S.D.J.M., Bhubaneswar stands quashed. The court concerned shall do the needful to close the proceeding in view of the aforesaid order, on receipt of the certified copy of this order or communication from this Court, whichever is earlier.

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

(S. Pujahari)
Judge

PKS

