

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1939 of 2012

Ajay Rout @ Ajaya Kumar Rout & Petitioners
others.

-versus-

State of Odisha & another. Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER
22.03.2022

Order No.

12. 1. This matter is taken up through Hybrid mode.
2. The petitioners in this application under Section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”) have prayed for quashing of the order of cognizance dated 30.01.2011 passed by the learned J.M.F.C., Nimapara in G.R. Case No.139 of 2010 taking cognizance of the offences under Sections 376 and 336/34 of IPC.
3. However, the learned counsel appearing for the petitioners submits to quash the impugned order of cognizance as well as the entire criminal prosecution launched against the petitioners as the petitioner no.4 and the opposite party no.2 are

living as husband and wife now and the victim does not want to proceed with the present litigation.

4. Since no one appears on behalf of the opposite party no.2-wife in this case, this Court is not inclined to accept the aforesaid submission of the learned counsel for the petitioners. Hence, this CRLMC filed challenging the impugned order being devoid of any merit stands dismissed. Interim order dated 20.12.2012 passed by this Court stands vacated.

5. However, liberty is given to the petitioner no.4 to file a joint petition before this Court for quashment of the aforesaid proceeding, if pending.

6. A copy of this order be communicated to the Court below forthwith.

(S. Pujahari)
Judge

MRS