

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 971 OF 2021

Tanuj Jain & others

..... *Petitioners*
Mr. S.R.Mohapatra , Adv.

-versus-

State of Odisha & another

..... *Opposite Parties*
Mr. D.Mund,AGA
Mr. P.K.Samal, Adv. For O.P.
No. 2

CORAM:
JUSTICE V. NARASINGH

ORDER
11.05.2022

Order No.
03.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. Opposite party No.2 has filed an affidavit stating inter alia, that the matter has been settled inter se.
4. Paragraphs-2 and 4 of the said affidavit is quoted hereunder for convenience of ready reference.

“2. That, in the mean time matrimonial dispute between the parties have already been amicably settled and the petition filed u/s.13(B) of the Hindu marriage Act, 1955 before the Principal Judge Family Court, Ghaziabad (U.P.) has already been disposed of on 21.02.2021 and a decree of divorce has

already been passed by dissolving the marriage held on 17.02.2014. Copy of the order dated 21.02.2021 passed by the Principal Judge Family Court, Ghaziabad (U.P.) is attached herewith for reference.”

“4. That, since all the disputes between the parties have already been settled through mediation process and the marriage between petitioner and O.P.No.2 (wife) has already been dissolved by a decree of divorce, therefore the O.P.No.2 has got no objection if this criminal proceeding vide CRLMC No. 971 of 2021 is allowed in favour of the petitioner by quashing the C.T. Case No. 2462 of 2017 pending before the Learned S.D.J.M., Balasore.”

5. Taking note of submissions across the bar, the recitals of the affidavit and in tune with the law laid down by the Apex Court in the case of **Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and Ors. Vrs. The State of Gujarat and Anr.**, reported in AIR 2017 SC 4843, the proceeding in connection with C.T. Case No. 2462 of 2017 arising out of Balasore Town P.S. Case No. 255 of 2017, on the file of learned S.D.J.M., Balasore stands quashed in respect of the Petitioners in exercise of power under Section 482 Cr.P.C.

6. Accordingly, the CRLMC stands disposed of.

7. Urgent certified copy of this order be granted as per rules.

(V.Narasingh)
Judge

Dhal

