

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2179 of 2018

Santosha Kumar Behera & Others

....

Petitioners

Mr. S.K.Rout, Advocate
and Mr.S.P.Dash, Advocate

-Versus-

State of Odisha & Another

....

Opposite Parties

Mr. S.S. Mohapatra, ASC
Mr. S.N.Biswal, Advocate
for O.P.No.2

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

24.08.2022

Order No.

- 07.
1. Heard learned counsel for the petitioners and learned ASC for the State as well as the learned counsel appearing for opposite party No.2.
 2. Instant petition under Section 482 Cr.P.C. is filed by the petitioners for quashing of the criminal proceeding in G.R. Case 241 of 2017 corresponding to Kamakhyanagar P.S. Case No. 156 of 2017 pending before the learned SDJM, Kamakhyanagar on the grounds stated therein.
 3. Perused the F.I.R. and charge sheet which is at Anneuxre-2.
 4. Learned counsel for the petitioners submits that there has been compromise in support of which an affidavit has been filed by opposite party No.2 as at Annexure-3. It is further submitted that due to the intervention of the village gentries, such settlement has been reached at and that apart, the parties are related to each other since the petitioners are the in-laws of the informant, namely, the opposite

party No.2 and considering the same, the proceeding should be quashed. It is also submitted that a counter case in G.R. Case No. 239 of 2017 pending in the file of learned SDJM, Kamakhyanagar has also been quashed in view of the compromise by this Court's order dated 4th May, 2022 in CRLMC No. 1220 of 2021 and therefore, the present proceeding should also be quashed in the interest of justice.

5. Learned counsel for the opposite party No.2 admits the facts regarding the alleged compromise between the parties. In view of the aforesaid development and the fact that the parties have settled the differences and compromised the matter which is also evident from affidavit i.e. Anneuxre-3 and since the counter case is also said to be put to rest by the Court's order dated 4th May, 2022 in CRLMC No. 1220 of 2021 and in order to ensure peace and stability and as a cordial relationship between the parties, the Court is inclined to exercise the inherent jurisdiction in the present case and accordingly, it is ordered.

6. In the result, CRLMC stands allowed. Consequently, the proceeding in G.R. Case No. 241 of 2017 arising out of Kamakhyanagar P.S. Case No. 156 of 2017 pending before the learned SDJM, Kamakhyanagar is hereby quashed.

7. An urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge