

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1687 of 2022

Sk. Sahil and others

Petitioners

Mr. K. Sattar, Advocate

-Versus-

State of Odisha and another

.... Opposite Parties

Mr. P.K. Rout, AGA

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
07.09.2022

Order
No.

- 05.
1. Heard learned counsel for the petitioners, learned counsel for the State and opposite party No.2.
 2. Instant petition under Section 482 Cr.P.C is filed by the petitioners for quashing of the FIR vis-a-vis Dargha Bazar P.S. Case No.57 of 2022 corresponding to G.R. Case No.704 of 2022 pending in the file of learned S.D.J.M.(Sadar), Cuttack on the grounds stated therein.
 3. Court perused the FIR i.e. Annexure-1.
 4. The learned counsel for the petitioners submits that in the meantime there has been a compromise between the parties and as far as the injuries which have been received by the victim since are simple in nature and considering the aforesaid development about an amicable settlement, the criminal proceeding in G.R. Case No.704 of 2022 should be quashed in the interest of justice.
 5. Learned counsel for opposite party No.2 submits that in fact there has been a compromise/settlement between the parties and

refers to the affidavit filed by opposite party No.2, namely, the informant. On perusal of the said affidavit, the Court finds that the parties have reached at a settlement in the meantime and therefore, the informant, namely, opposite party No.2 does not have any objection if the criminal proceeding is quashed by the Court's order.

6. The Court perused the injury report of opposite party No.2 who stated to have received multiple fingernail abrasions and all are simple in nature. Having regard to the nature of injuries sustained by victim and the fact that the parties have settled the matter out of the Court and keeping in view the settled position of law of the Apex Court in **B.S. Joshi and others Vrs. State of Haryana and another** reported in (2003) 4 SCC 675, the Court is of the opinion that criminal proceeding in G.R. Case No.704 of 2022 pending before the court below should be quashed.

7. Accordingly, it is ordered.

8. In the result, CRLMC stands allowed. Consequently, the criminal proceeding in G.R. Case No.704 of 2022 corresponding to Dargha Bazar P.S. Case No.57 of 2022 pending before the court of learned S.D.J.M. Sadar, Cuttack is hereby quashed.

(R.K. Pattanaik)
Judge

TUDU