

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.1302 of 2022

***Lalamohan @ Manimohan
Mohapatra***

....

Petitioner

Mr.J.K. Khandayatray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K.Mohanty, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

08.07.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Mr. Jyotirmaya Sahoo, learned counsel submits that he has entered appearance for the Informant-O.P. No.2 and files his Vakalatnama in Court today, which is taken on record.
3. The name of Mr. Jyotirmaya Sahoo, learned counsel for the Informant-Opposite Party No.2 be reflected in brief as well as in the cause list.
4. Heard learned counsel for the Petitioner, learned counsel for the State and learned counsel appearing for the Informant-Opposite Party No.2.
5. This application has been filed for quashing of the criminal proceeding arising out of Markatnagar P.S. Case No.53 of 2022, corresponding to G.R. Case No.404 of 2022, pending in the file of learned S.D.J.M.(S), Cuttack.

6. Learned counsel for the Petitioner submits that at the heat of the moment, both the parties quarreled together. However, the informant who had lodged the FIR does not want to proceed in the matter any further. Further it papers from the joint affidavit filed by the parties along with this application that both the parties have settled their dispute outside the Court. In such view of the matter, the informant does not want to proceed with the case any further.

7. Considering the submissions made and further on perusal of the joint affidavit under Annexure-2 and keeping in view the larger interest of justice, this Court in exercise of power under Section 482 Cr.P.C. hereby quashed the criminal proceeding in Markatnagar P.S. Case No.53 of 2022, corresponding to G.R. Case No.404 of 2022, pending in the file of learned S.D.J.M.(S), Cuttack.

8. CRLMP is accordingly disposed of.

9. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Vacation Judge