

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1856 of 2022

V. Naga

.... **Petitioner**  
Mr. B. Mishra, Advocate

-Versus-

State of Orissa and another

.... **Opposite Parties**  
Mr. S.S. Mohapatra, ASC  
Mr. B. Mishra, Advocate for O.P.No.2

**CORAM:**  
**MR. JUSTICE R.K. PATTANAİK**

**ORDER**  
**23.08.2022**

Order  
No.

02. 1 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for opposite party No.2.
2. Present petition under Section 482 Cr.P.C. is for quashing of the criminal proceeding in G.R. Case No.88 of 2010 arising out of Bandhugaon P.S. Case No.20 of 2010 pending in the court of learned J.M.F.C., Laxmipur on the grounds stated therein.
3. Perused the FIR and other connected documents under Anenxure-1 series.
4. Learned counsel for the petitioner submits that there has been a compromise between the informant and the petitioner and both are present in Court today and have filed a joint affidavit. On the other hand, learned counsel for the State submits that in so far as the instruction received from the concerned P.S., there has been no

such compromise which is stated to have been arrived at between the parties.

5. However, the informant as well as the petitioner, who are present in the Court in support of their identity proof, produced original Aadhar cards and the same are perused. On being asked, the informant intimates the Court about the alleged compromise which has been stated in the affidavit filed by them.

6. The Court perused the affidavit, wherein, it is mentioned that the matter has been amicably settled between the parties in the meantime.

7. In view of the aforesaid development and about filing an affidavit jointly by the petitioner and the informant and having regard to the fact that majority of the offences to be compoundable in nature and taking into account the fact that the differences stands settled and as such there has been a compromise, the Court is of the view that the proceeding in G.R. Case No.88 of 2010 should be quashed in the interest of justice. The Court is conscious of the settled position of law as enunciated by the Apex Court in the case of **State of Haryana and others Vrs. Ch. Bhajan Lal and others 1990 SCR Supp.(3) 259**, wherein, it has been held and observed that under certain circumstances where situation demands jurisdiction under Section 482 Cr.P.C. may be exercised in order to secure ends of justice. In the present case, in view of the compromise between the parties, the Court is inclined to quash the proceeding apart from considering the circumstances under which the alleged mischief was committed by the petitioner.

8. Accordingly, it is ordered.

9. In the result, the CRLMC stands allowed. Consequently, the criminal proceeding in G.R. Case No.88 of 2010 pending before the court of learned J.M.F.C., Laxmipur is hereby quashed.

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

(R.K. Pattanaik)  
Judge



TUDU