

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1960 of 2022

Chittaranjan Ray

....

Petitioner

Mr.Susanta Kumar Baral, Advocate

-Versus-

State of Odisha and another

....

Opposite Parties

Mr.S.S, Mohapatra, ASC, O.P. No.1

Mr. J. Sahoo, 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. Instant petition under Section 482 Cr.P.C. has been filed by the petitioner for quashing of the proceeding in G.R. Case No.1157 of 2015 arising out of Lalbag P.S. Case no.92 of 2015 pending in the file of learned S.D.J.M.(Sadar), Cuttack on the grounds stated therein.
 3. Perused the FIR, which is placed under Annexure-1 series.
 4. Learned counsel for the petitioner submits that there has been a compromise between the parties in support of which opposite party No.2 filed an affidavit which is at Flag-B.
 5. The Court perused the affidavit of opposite party No.2 who has claimed about the compromise and further informed that there was a misunderstanding between him and the petitioner, as a result of which, the FIR was lodged and also offered no objection if

the proceeding in G.R. Case No.1157 of 2015 is quashed in view the compromise entered into between them.

6. The offences for which the petitioner has been charge-sheeted are under Sections 341/323/294 of I.P.C. The offences are triable by a Magistrate First Class and except Section 294 I.P.C, rest are compoundable in nature.

7. Having regard to the affidavit of opposite party No.2 claiming about the alleged compromise and taking into account the circumstances under which the incident has happened involving he petitioner and informant and in view of the settled position of law on the exercise of jurisdiction in terms of Section 482 Cr.P.C. with reference to the judgment in **State of Haryana and others Vrs. Ch. Bhajan Lal and others 1990 SCR Supp.(3) 259**, the Court is inclined to quash the criminal proceeding in the interest of justice.

8. Accordingly, it is ordered.

9. In the result, the criminal proceeding in G.R. Case No.1157 of 2015 arising out of Lalbag P.S. Case no.92 of 2015 pending in the file of learned S.D.J.M.(Sadar), Cuttack is hereby quashed.

10. The CRLMC stands allowed.

(R.K. Pattanaik)
Judge