

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2010 of 2022

Manas Panda @ Manas Ranjan Panda Petitioners
and others

Mr. Soumya Ranjan Das, Advocate

-Versus-

State of Orissa and another Opposite Parties
Mr. S.S. Mohapatra, ASC
Mr. S.K. Dwibedi, Advocate for OP No.2

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
08.09.2022

Order No.

02.

1. Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the opposite party No.2
2. The present petition under Section 482 Cr.P.C. has been filed for quashing of the criminal proceeding in C.T. Case No.158 of 2022 arising out of Nemalo P.S. Case No.103 of 2022 pending in the court of learned P.O. Special Court under SC & ST Act Court, Cuttack on the grounds stated therein.
3. Perused the FIR at Annexure-1 and the affidavit filed by the opposite party No.2 as well as the petitioner.
4. Learned counsel for the petitioner submits that the matter has been compromised between the parties and in support of their settlement, The petitioner No.1 and opposite party No.2 have filed a joint affidavit which is at Flag-D and in such view of the matter, the criminal proceeding pending before the court below in C.T. Case No.158 of 2022 arising out of Nemalo P.S. Case No.103 of 2022 should be quashed in the interest of justice.

5. Learned counsel appearing for opposite party No.2 submits that opposite party No.2 is present and she also confirmed the fact of compromise between the parties.

6. Referring to the joint affidavit which is at Flag-D, the learned Additional Standing Counsel for the State submits that there is also an instruction received from the local police with regard to settlement of the matter. The petitioner No.1 and opposite party No.2 are present in person being identified by the learned counsel appearing for them. The parties have also produced the original Aadhar Cards in support of their identity proof.

7. Having gone through the affidavit it is revealed that there has been an amicable settlement between the parties and the dispute is now resolved and both the sides are living happily as ever being the neighbours.

8. Considering the submissions of the learned counsel appearing for the parties and being alive to the settled position of law in **B.S. Joshi and others Vrs. State of Haryana & Another (2003) 4 SCC 675**, the Court is of the view that the criminal proceeding in C.T. Case No.158 of 2022 arising out of Nemalo P.S. Case No.103 of 2022 pending in the court of learned P.O. Special Court under SC & ST Act Court, Cuttack should be quashed in order to restore cordial relationship between the parties. Accordingly, it is ordered.

9. Consequently, the CRLMC stands allowed.

10. In the result, the criminal proceeding in C.T. Case No.158 of 2022 arising out of Nemalo P.S. Case No.103 of 2022 pending in the court of learned P.O. Special Court under SC & ST Act Court, Cuttack is hereby quashed.

(R.K. Pattanaik)
Judge