

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLMC No. 6031 of 2014**

***Tupunu @ Besarat Khan*** ..... ***Petitioner***  
Mr. Prakash Kumar Mishra, Advocate  
-versus-  
***State of Odisha and Another*** ..... ***Opposite Parties***  
Mr. Ishwar Mohanty, Addl. Standing Counsel

**CORAM:**  
**THE CHIEF JUSTICE**

**Order No.**

**ORDER**  
**22.07.2022**

04.

1. An application was filed by Opposite Party No.2 before the trial Court stating that she does not wish to proceed with the matter. However, that application was rejected by the order dated 9<sup>th</sup> June, 2014 on the ground that the power to compound the offence under Section 320 Cr.P.C. does not exist.
2. In the present petition, notice was served on Opposite Party No.2 and despite service she has not appeared. There is no denial of the fact that she has herself filed an application stating that she is married to the brother of the present Petitioner and does not wish to pursue the complaint any longer. This fact is not denied by learned counsel for the State.
3. In that view of the matter, the proceedings in CT. Case No.190 of 2009 arising out of Tigiria P.S. Case No.43 of 2009 the order taking cognizance dated 14<sup>th</sup> July, 2010 of the S.D.J.M., Athagarh

and the aforementioned case pending in the Court of the JMFC, Tigiria are hereby quashed. The CRLMC is disposed of.

4. The Superintendent of the concerned Branch is directed to immediately communicate this order to the concerned Subordinate Court.

***(Dr. S. Muralidhar)***  
***Chief Justice***

*S.K. Jena/Secy.*

