

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2276 of 2022

Bibhuti Bhusan Kar and others Petitioners
Mr.Suryakanta Dwibedi, Advocate

-Versus-

State of Odisha and another Opposite Party
Mr. T.K. Praharaj, SC, OP No.1

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
07.09.2022

Order No.

- 01.
1. Heard learned counsel for the petitioners and learned counsel for the State.
 2. Learned counsel for the petitioners produced certified copies of the statements of the witnesses recorded under Section 161 Cr.P.C. and medical examination report and the same are perused.
 3. In view of the grounds taken in the petition and considering the fact that there has been a decree of divorce between petitioner No.1 and opposite party No.2 in terms of Section 13 of the Hindu Marriage Act, 1955, the Court is of the view that inherent jurisdiction of Section 482 should be exercised in terms of the guidelines as has been set out in the case of **B.S. Joshi and others Vrs. State of Haryana & Another** reported in (2003) 4 SCC 675 wherein it has been observed that where the offences are non-compoundable in nature, inherent jurisdiction under Section 482 Cr.P.C. may be exercised. It is submitted that even though charge-

sheet under Section 307 IPC has been submitted, no injury was found during the medical examination of the victim. In any case, in view of the settlement reached at between the parties, the Court is of the considered opinion that the criminal proceeding should be quashed. Accordingly, it is ordered.

4. In the result, criminal proceeding in G.R. Case No.201 of 2017 arising out of Udala P.S. Case No.73 of 2017 pending in the court of learned S.D.J.M., Udala is hereby quashed.

5. Issue urgent certified copy as per rules.

U.K. Sahoo



(R.K. Pattanaik)
Judge