

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2312 of 2015

Susanta Mohanty and others

Petitioners
....
Mr. A. Tripathy, Advocate

-versus-

State of Odisha and another

Opp. Parties
....

Mrs. S. Patnaik, AGA

**CORAM:
JUSTICE CHITTARANJAN DASH**

ORDER

21.10.2022

Order No.

07.

1. Learned counsel for the Petitioners is present and submits that the matter has since been compromised between the parties and files a photocopy of the compromise in Court today.

2. By means of this application, the Petitioners sought for quashing of the proceeding in G.R. Case No.56 of 2015 corresponding to Khandapada P.S. Case No.23 of 2015 involving the Petitioners in the offence U/s. 294/385/323/307/506/34 IPC. The very fact that the parties entered into a compromise as submitted by the learned Counsel for the Petitioner prima facie show the existence of an incident involving the Petitioners. Since the material appearing in the case record discloses a case against the Petitioner allegedly U/s. 307 IPC deserves a complete trial instead of being quashed at its threshold in exercise of jurisdiction under Section 482 Cr.P.C.

3. The Petitioner is at liberty to submit with regard to the compromise, if any during the course of trial if permissible under law.

4. In view of the above observation, the CRLMC stands dismissed.

(Chittaranjan Dash)
Judge