

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2976 of 2015

Bikas Praharaj and others

....

Petitioners

M/s. G.N. Mishra, Advocate

-Versus-

State of Odisha and others

....

Opposite Parties

Mr. Tapas Kumar Praharaj, SC  
Mr. B.K. Raj, Advocate for O.P.

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

22.08.2022

Order  
No.

04. 1. Heard learned counsel for the parties.
2. Instant petition under Section 482 Cr.P.C. is filed by the petitioners for quashing of the criminal proceeding in G.R. Case No.620 of 2013 pending in the file of learned J.M.F.C.(O), Bhubaneswar on the grounds stated therein.
3. Learned counsel for the petitioners submits that there has been a settlement between the parties vide Annexure-2 and in support of such settlement, opposite party Nos.2, 3 and 4 filed affidavits which are at Flag-B, C and F respectively and considering the aforesaid development, the proceeding pending before the court below should be quashed. The learned counsel appearing for the State referring to the affidavits of the opposite party Nos.2, 3 and 4 submits that there appears to be a settlement between the parties in the meantime.
4. The offences are triable by a First Class Magistrate and some of the offences are compoundable in nature. On a bare perusal of

Annexure-2, it appears that the parties have settled their differences and compromised and in fact, the affidavits of opposite party Nos.2, 3 and 4 confirm the same.

5. Having regard to the above development as to the settlement between the parties, the Court is of the view that inherent jurisdiction under Section 482 Cr.P.C. should be exercised in order to restore peace and stability among the parties. The fact of compromise is revealed from affidavits of opposite party Nos.2, 3 and 4 pursuant to the settlement under Annexure-2. Having regard to the position of law as enunciated by the Apex Court in **State of Haryana and others Vrs. Ch. Bhajan Lal and others** reported in 1990 5CR Supp.(3) 259, wherein, it is held that jurisdiction under Section 482 Cr.P.C. may be exercised in certain cases depending on the facts and circumstances of the each particular case in order to meet the ends of justice, the Court is of the view that the present case as well in view of the compromise supported by affidavits filed by opposite party Nos.2, 3 and 4 later to the settlement under Annexure-2 should be quashed.

6. Accordingly, it is ordered.

7. In the result, the CRLMC stands allowed. Consequently, the criminal proceeding in G.R. Case No.620 of 2013 pending before the J.M.F.C.(O), Bhubaneswar is hereby quashed.

(R.K. Pattanaik)  
Judge