

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2538 of 2022

Sasadhar Pati

....

Petitioner

Mr. S.C. Rath, Advocate

-Versus-

State of Odisha and another

....

Opposite Parties

Mr. P.K. Rout, AGA, OP No.1

None for OP No.2

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

24.09.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner challenging the criminal proceeding initiated at the instance of the informant, namely, opposite party No.2 in C.T. Case No.4223 of 2016 arising out of Sahid Nagar P.S. Case No.510 of 2016 pending in the court of learned S.D.J.M., Bhubaneswar on the grounds of compromise as per Annexure-3.
 3. Learned counsel for the petitioner submits that petitioner does not have any role to play so far as the allegation as has been made in the FIR under Annexure-1 is concerned. It is further submitted that opposite party No.2 subsequently realized that it is not the petitioner who defraud him and considering the fact of compromise which is revealed from Annexure-3, the criminal action which has been set at motion as against the petitioner should be quashed in the interest of justice.

4. Learned counsel for opposite party No.2 is present in Court and he admits the fact of compromise and refers to Annexure-3, which is a copy of the deed of compromise executed between the petitioner and opposite party No.2 on 7th April, 2022. Basing on the above deed, the learned counsel for the petitioner seeks to quash the criminal proceeding against the petitioner in C.T. Case No.4223 of 2016 should be quashed which the Court is inclined to. Accordingly, it is ordered.

5. Consequently, the CRLMC stands disposed of.

6. In the result, the criminal proceeding pending against the petitioner in C.T. Case No.4223 of 2016 arising out of Sahid Nagar P.S. Case No.510 of 2016 pending in the court of learned S.D.J.M., Bhubaneswar under Annexure-3 is hereby quashed in respect of the petitioner. However, it is observed that the investigation may be continued in Sahid Nagar P.S. Case No.510 of 2016 decision of which to be intimated to the court below at the end.

7. Issue urgent certified copy of this order on proper application.

(R.K. Pattanaik)
Judge