

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2650 of 2010

Kanchan Kabi & others. ***Petitioners***

-versus-

State of Odisha & another. ***Opposite Parties***

CORAM: JUSTICE S.PUJAHARI

ORDER
22.02.2022

Order No.

14. 1. This matter is taken up through Hybrid mode.
2. The petitioners in this application under Section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”) have prayed for quashing of the prosecution case bearing G.R. Case No.78 of 2005, arising out of Mahila P.S. Case No.3 of 2005, registered for alleged commission of offences under Sections 498-A, 494, 406 and 384/34 of I.P.C. launched against them at the instance of the opposite party no.2, the married wife of the petitioner no.3.
3. As it appears, the opposite party no.2-wife has not appeared in this case in spite of the valid service of summon on her. The petitioners have sought for quashment of the aforesaid criminal prosecution on the ground of compromise. However,

the cognizance of the offences in the aforesaid case has been taken against the petitioners. But, since the opposite party no.2- wife has not appeared, the authenticity with regard to the compromise could not be accepted.

4. Hence, this Court dispose of this CRLMC with a direction to the Court below to conclude the trial of the aforesaid case within six months from the date of receipt / production of the certified copy of this order and in the event the opposite party no.2-wife, the victim in the aforesaid case, does not appear in spite of sufficiency of the notice, the trial Court shall close the said proceeding thereafter.

(S. Pujahari)
Judge

MRS

