

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2780 of 2022

Manoranjan Biswal

....

Petitioner

Mr. Jagannath Bhuyan, Advocate

-Versus-

State of Odisha & Another

....

Opposite Parties

Mr. P.K.Rout, AGA

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

10.10.2022

Order No.

- 01.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. In the instant case the challenge is as to the criminal proceeding with a prayer for its quashment in connection with C.T. Case No. 629 of 2022 corresponding to Suliapada P.S. Case No. 58 of 2022 pending in the file of learned SDJM, Mayurbhanj on the grounds stated therein.
 3. Learned counsel for the petitioner submits that there has been a compromise between the parties in the meantime and therefore, the criminal proceeding should be quashed in the interest of justice which is objected to by Mr. Rout, learned counsel for the State on the ground that the allegation is serious in nature which is revealed on the bare reading of the F.I.R, a copy of which is at Anneuxre-1.
 4. The Court perused the F.I.R. and allegations made therein. It shows that the petitioner did the alleged mischief outraging modesty of opposite party No.2. The manner in which the alleged overt act was committed by the petitioner stands described in the F.I.R.

5. On the ground of compromise between the parties, learned counsel for the petitioner claims for quashing of the criminal proceeding. However, the Court is not inclined to having regard to the nature of allegations and the mischief, whereby, the modesty of opposite party No.2 was outraged. At this juncture, learned counsel for the petitioner submits that at least the petitioner should be granted liberty to surrender before the court below and to go on bail, keeping in view the fact that there has been a compromise between the parties.

6. Considering the above submission of the learned counsel for the petitioner though the Court is not inclined to quash the proceeding but is of the view that the petitioner should be directed to surrender and allowed to go on bail subject to conditions considering the fact that he is an elderly person aged about 60 years.

7. Consequently, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned court of S.D.J.M., Mayurbhanj on or before 28th October, 2022 in connection with C.T. Case No. 629 of 2022 arising out of Suliapada P.S. Case No.58 of 2022 and in the event of his surrender, the court shall release him on bail subject to such terms and conditions.

8. An urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge