

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3679 of 2022

Muni Mohanty and Another ..... Petitioners  
Mr Sushanta Harichandan, Advocate

-Versus-

State of Orissa and Another ..... Opposite Parties  
Mr. T.K. Praharaj, S.C., OP No.1  
Mr. K.K. Mohapatra, Advocate for OP No.2

CORAM:  
MR. JUSTICE R.K. PATTANAİK

ORDER  
12.12.2022

Order No.

02.

1. Heard learned counsel for the respective parties.
2. Petitioners in the present case pray for quashing of the criminal proceeding in connection with G.R. Case No.2276 of 2016 arising out of Chauliaganj P.S. Case No.276 of 2016 pending in the court of learned J.M.F.C.(S), Cuttack on the ground of compromise between the parties.
- 3 Perused the copy of the FIR as at Annexure-1 series.
4. As it appears from Annexure-2, chargesheet has been filed against the petitioners under Section 498-A IPC along with other allied offences.
5. Learned counsel for the petitioners submits that the parties have resolved their dispute and sorted out their differences and now having cordial relationship between them and considering said fact,

the criminal proceeding which is pending before the learned court below should be quashed in the interest of justice. While claiming so, an affidavit filed by opposite party No.2, which is at Flag-B, has been referred to.

6. Petitioners and opposite party No.2 are physically present in the Court today. The informant, namely, opposite party No.2 produced the original Aadhar card in support of her identity proof and the same is perused. On being asked, opposite party No.2 confirmed the fact with regard to the compromise and settlement between her and the petitioners.

7. Mr. Praharaj, learned counsel for the State submits that some of the offences are non-compoundable in nature and considering the same, appropriate order may be passed.

8. On a reading of the affidavit at Flag-B, it is found that opposite party No.2 have settled the matter with the petitioners, who are her mother-in-law and sister-in-law respectively. In fact, it is informed to the Court that opposite party No.2 did not have any complaint against her husband who has not even been chargesheeted along with the petitioners.

9. The informant, namely, opposite party No.2 who in any case presently staying with her husband and compromised the matter with her mother-in-law and sister-in-law. Having regard to the law laid down by the Apex Court in the case **B.S. Joshi and others Vrs. State of Haryana & Another** reported in **(2003) 4 SCC 675** wherein it has been held that inherent jurisdiction may be exercised taking into account the facts and circumstances of a particular case notwithstanding the fact that some of the offences are not compoundable in nature and as parties have reached at a settlement and is in cordial relation, the Court is of the view no fruitful purpose would be served in allowing the criminal

proceeding pending against the petitioners. In other words, it is a fit case where jurisdiction under Section 482 Cr.P.C. should be exercise to bring an end to the litigation and accordingly, it is ordered.

10. In the result, the CRLMC stands allowed and the criminal proceeding in G.R. Case No.2276 of 2016 arising out of Chauliaganj P.S. Case No.276 of 2016 pending in the court of learned J.M.F.C.(S), Cuttack is hereby quashed.

11. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)  
Judge

U.K.Sahoo

