IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.485 of 2026
CNR No. ODHC010092752026

Amiya Kumar Sahoo & Another **.....** ***Petitioners***

Represented by Adv. - Arjuna Charana Behera

-versus-

State Of Odisha & Another **.....** ***Opp. Party***

Represented by Adv. – J. Nayak, AGA
A.N. Brahmachari

CORAM:
THE HON'BLE MR. JUSTICE SIBO SANKAR MISHRA
ORDER

Order No. **05.11.2026**

05. 1. At the instance of Opposite Party No.2, the F.I.R. in connection with Lalbag P.S. Case No.201 of 2025, corresponding to G.R. Case No.432 of 2025 registered on the allegation of commission of offences under Sections 319(2), 318(4) & 3(5) of the BNS, 2023 pending in the Court of the learned S.D.J.M. (S), Cuttack, was registered against the petitioners. By filing the present petition, the petitioners seek quashing of the entire criminal proceeding on the ground that the dispute between the parties has been amicably settled.

2. Opposite Party No.2 is personally present in Court and has been duly identified by her learned counsel. She has also filed a self-attested copy of her Aadhaar Card in proof of her identity, which is taken on record.

3. Pursuant to the settlement, the learned counsel for the petitioners has handed over a demand draft for a sum of of Rs.1,01,000/- (Rupees One Lakh One Thousand only) to the Opp. Party No.2 which is appears to be the disputed amount. Opposite Party No.2 has received the original demand draft and acknowledged its receipt by endorsing on the copy thereof. The said acknowledgment has also been countersigned by her learned counsel.

4. On being queried by the Court, Opposite Party No.2 submits that, in view of the settlement arrived at between the parties and receipt of the aforesaid amount, she has no further grievance against the petitioners and does not wish to pursue the criminal proceeding any further. She has also expressed her consent for quashing of the entire criminal proceeding.

5. The Opp. Party No.2 has also filed an affidavit, inter alia, stating as under:-

> *"2. That, the petitioners have compromised the matter and I received back the demanded amount of Rs.1,01,000/- (one lakh one thousand) in shape of DD No.120517 dtd.04.11.2026 in presence of my Advocate.*
>
> *3. That, though the matter of disputes compromised between us and I have received the demanded amount from the petitioners/ accused persons, so I don't want to proceed with the case pending in the court of learned SDJM(S), Cuttack bearing G.R. Case No.432 of 2025.*
>
> *4. That, I have no objection if this Hon'ble Court directs for quashing of the criminal proceedings against the accused persons/ present petitioners in this case."*

6. Learned counsel appearing for the State submits that, in view of the settlement arrived at between the parties and the affidavit filed by the Opp. Party No.2 expressing her

unwillingness to proceed with the case, there would be no impediment in quashing the criminal proceeding.

7. Regard being had to the allegations made by the informant/opposite party no.2 against the petitioners and more particularly, the fact that the parties have settled their dispute and the disputed amount has been returned and Opposite Party No.2 has categorically expressed her unwillingness to pursue the criminal proceeding any further I am inclined to allow the present petition. Further, continuation of the present proceeding will not inure to the benefit to either parties and, therefore, in this circumstance subjecting the petitioners to rigors of the trial is destined to be futile exercise. The case of the petitioners is directly covered by the judgment of the Hon'ble Supreme Court in the cases of ***Gian Singh vs. State of Punjab and another*** reported in ***2012 (10) SCC 303*** and ***B.S. Joshi & others vs. State of Haryana & another*** reported in ***(2003) 4 SCC 675***.

8. Accordingly, the entire criminal prosecution in connection with F.I.R. in Lalbag P.S. Case No.201 of 2025, corresponding to G.R. Case No.432 of 2025 pending in the Court of learned S.D.J.M(S), Cuttack and all consequential proceedings arising therefrom, stands quashed.

9. The CRLMC is accordingly disposed of.

(S.S. Mishra)
Judge

Signature Not Verified
Digitally Signed
Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: OHC
Date: 06-Nov-2026 17:47:28