IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2080 of 2026

CNR No. ODHC010470782026

Alok Pachisia …. ***Petitioner(s)***

Mr. Haripad Mohanty, Advocate

-versus-

State of Odisha & Anr. …. ***Opp. Party(s)***

Mr. S.J. Mohanty, ASC

Mr. G.M. Rath, Advocate (O.P.2)

CORAM:

THE HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER

Order No. **30.10.2026**

03. 1. Heard.

2. The petitioner by invoking inherent jurisdiction of this Court under Section 528 BNSS is seeking quashing of the order dated 30.04.2025 passed by the learned JMFC-III, Cog.Taking, Cuttack, whereby cognizance of offence punishable under sections 281/296 of BNS has been taken against him.

3. The matter was taken up on 22.07.2026 and the following order was passed:-

> *"2. With the consent of the learned counsels appearing for both the sides, the dispute is referred to the High Court Mediation Centre.*

Accordingly, the Counsels appearing for both the sides, it is directed to approach the learned Coordinator of the Orissa High Court Mediation Centre along with the copy of the today's Order. On their appearance the same Mediator be appointed to resolve the dispute between the parties amicably. The parties are directed to cooperate with the learned mediator for an amicable settlement of the dispute that the report of the mediator be furnished before this Court by the next date.

3. List this matter in the week commencing 07.09.2026.

4. Interim order passed earlier shall continue till the next date."

4. Pursuant to the aforementioned order, the petitioner and opposite party no.2 participated in the mediation proceeding before the High Court Mediation Centre. The parties have arrived at a settlement and the mediation became successful. The mediation report, reads as under:-

"*<u>Mediation Report</u>*

<u>23.09.2026</u>

The mediation is fixed today.

Pursuant to order passed by the Hon'ble High Court dtd. 22.07.2026, mediation was held in three sittings, both single and joint sittings. The mediation proceeding was held on 08.09.2026, 18.09.2026 & today i.e on 23.09.2026.

Today, both the parties are present along with their respective counsels at High Court of Orissa Mediation Centre, Aain Seva Bhawan, Cuttack.

I persuaded and generated various options to settle the dispute between the parties. After

several persuasions, both the parties have agreed to settle the matter amicably.

In this regard both the parties have filed a written resolution of compromise, which is hereby attached.

In view of the above the mediation became "Successful"

5. The Mediator has filed the report enumerating the terms of settlement. On the basis of the settlement arrived at between the parties before the High Court Mediation Centre, learned counsel for the petitioner is seeking quashing of the entire criminal prosecution initiated by the opposite party no.2.

6. The petitioner and the informant-opposite party no.2 are present in Court and they have been identified by their lawyers. Both the parties undertakes to comply the terms of settlement as enumerated in the mediation report dated 23.09.2026, which is form part of the record.

7. Learned counsel for the State submits that since the parties have already settled their dispute amicably, there is no legal impediment to quash the proceeding.

8. Regard being had to the aforementioned, since the parties have settled the dispute before the High Court Mediation Centre, 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 petitioner to rigors of the trial is destined to be futile exercise. Hence, the present case 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***.

9. Accordingly, the entire criminal prosecution in connection with F.I.R. in Bidanasi P.S. Case No. 74 of 2025 corresponding to G.R. Case No. 267 of 2025, pending in the court of the learned JMFC-III, Cog. Taking, Cuttack and consequential proceedings arising therefrom stands quashed.

10. The CRLMC is disposed of.

Ashok

(S.S. Mishra)
Judge

Signature Not Verified
Digitally Signed
Signed by: ASHOK KUMAR JAGADEB MOHAPATRA
Reason: Authentication
Location: High Court of Orissa
Date: 30-Oct-2026 19:15:41