IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2288 of 2026
CNR No. ODHC010529142026

Paresh Samal **.....** ***Petitioner***

Represented by Adv. -
Sujata Jena, Sr.adv.

-versus-

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

Represented by Adv. –
J. Nayak, AGA
Jnyanananda Panda

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

ORDER

Order No. **05.11.2026**

04. 1. At the instance of opposite party No.2, the F.I.R. in connection with Cantonment P.S. Case No.190 of 2026, corresponding to G.R. Case No.945 of 2026 registered for commission of offences under Sections 74 & 75(2) of the BNS, 2023 pending in the Court of learned J.M.F.C.-II (Cog-Taking), Cuttack, came to be registered against the petitioner. The allegation against the petitioner is as under:-

> *"The informant was working under an agency as sweeper. On 10.06.2026 at about 8 a.m. she went for her work. When she sweeping near Anil Hotel one person came from the gate of Rural Police Office and touched her chest. When she shouted that person ran away from the spot to the Police office. Hence the F.I.R."*

2. The F.I.R. has been registered on 10.06.2026. On 31.10.2026, the informant herself submitted a letter before the I.I.C., Cantonment Police Station stating that the dispute

between the parties had already been settled. On the basis of such settlement, the petitioner has approached this Court by filing the present petition seeking quashing of the entire criminal proceeding arising out of Cantonment P.S. Case No.190 of 2026, corresponding to G.R. Case No.945 of 2026, pending in the Court of the learned J.M.F.C.-II (Cog-Taking), Cuttack.

3. The petitioner and Opposite Party No.2 have also filed a joint affidavit, *inter alia*, stating as follows:-

> *"2. That the Opp. Party No.2 due to some misunderstanding has lodged the aforesaid case against the petitioner. In the meantime all the disputes among the parties have been resolved amicably on the intervention of the family members and the well-wishers.*
>
> *3. That now the Opp. Party No.2 does not want to proceed with the above mentioned case.*
>
> *4. That we both are swearing this affidavit out of our own consensus, free will and without any coercion and without any pressure from any corner.*
>
> *5. That in view of the above facts and circumstances the petitioner and the Opp. Party No.2 are swearing this affidavit and declaring to the effect that if this matter shall be considered and CRLMC will be allowed they have no objection and they will not be prejudiced at all in any manner."*

4. The copy of the letter dated 31.10.2026 given by the informant to the IIC, Cantonment police station is taken on record.

5. Learned counsel appearing for the State submits that, in view of the settlement arrived at between the parties, there would be no impediment in quashing the criminal proceeding.

6. Regard being had to the allegations made by the informant/opposite party no.2 against the petitioner and more particularly, the fact that the parties have settled their dispute and the informant 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 petitioner to rigors of the trial is destined to be futile exercise. The case of the petitioner 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***.

7. Accordingly, the entire criminal prosecution in connection with F.I.R. in Cantonment P.S. Case No.190 of 2026, corresponding to G.R. Case No.945 of 2026 pending in the Court of learned J.M.F.C.-II (Cog-Taking), Cuttack, and all the consequential proceedings arising therefrom, stands quashed.

8. The CRLMC is accordingly disposed of.

(S.S. Mishra)
Judge

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