IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3607 of 2026

CNR No. ODHC010743132026

(1) Umakanta Parida .... ***Petitioner(s)***
(2) Jharanalata Parida

Mr. Pravash Chandra Jena, Advocate

-versus-

State of Odisha and others .... ***Opposite Party(s)***

Mr. Raj Bhusan Dash, ASC
Mr. Pravu Pityarthi Kumar Pandit, Advocate
(for opposite party Nos.2 and 3)

CRLMC No.3001 of 2023

CNR No. ODHC010529812023

Raja @ Raj Kishore Parida .... ***Petitioner(s)***

Mr. Pravash Chandra Jena, Advocate

-versus-

State of Odisha and others .... ***Opposite Party(s)***

Mr. Raj Bhusan Dash, ASC
Mr. Pravu Pityarthi Kumar Pandit, Advocate
(for opposite party Nos.2 and 3)

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER
12.11.2026

Order No.

02. **1.** Since both the petitions arise out of the selfsame F.I.R. and emanate from the same matrimonial dispute, they are taken up together and disposed of by this common order. The allegations in

both the petitions being interrelated and arising out of the same set of facts, they are considered together.

2. Heard.

3. At the instance of the informant/opposite party No.2, the F.I.R. dated 15.04.2014 in Jaleswar P.S. Case No.89 of 2024 came to be registered against the petitioners for the alleged commission of offences punishable under Sections 341/342/323/376/506/34 of I.P.C.

4. In CRLMC No.3607 of 2026, the petitioners are seeking quashing of the entire criminal proceeding in connection with Special Case No.190 of 2015 corresponding to C.T. Case No.234 of 2014 arising out of Jaleswar P.S. Case No.89 of 2014 pending in the Court of the learned Special Judge (POCSO), Balasore and the consequential proceeding arising therefrom on the ground of settlement. The petitioner No.1 is the father-in-law, whereas the petitioner No.2 is the mother-in-law of opposite party No.3.

In CRLMC No.3001 of 2023, the petitioner is seeking quashing of the entire criminal proceeding in connection with Special Case No.79/2016/190/2015 corresponding to C.T. Case No.234 of 2014 arising out of Jaleswar P.S. Case No.89 of 2014 pending in the Court of the learned Special Judge, Balasore. The petitioner is the husband of the opposite party No.3, the victim.

5. The prosecution case, in brief, is that on 15.04.2014, Malati Das, the informant and mother of the victim, lodged a written report before the I.I.C., Jaleswar Police Station, alleging, inter alia, that her daughter (the victim) was pursuing her studies in a vocational course at Jaleswar Women's College, C.T. It was alleged that on 12.04.2014, at about 7.00 A.M., the victim had gone to her college to appear in her examination and, while returning home, the petitioner, namely, Raja @ Raj Kishore Parida, forcibly kidnapped her. The informant further stated that she came to know about the alleged incident on 13.04.2014 from a reliable source. Hence, the F.I.R.

6. During investigation, the statement of the victim was recorded under Section 164 of Cr.P.C. She in her statement has stated that she was in love relationship with the petitioner, Raja @ Raj Kishroe Parida and had married him voluntarily on 12.04.2014. She further stated that she is residing happily at her matrimonial home and her mother had lodged the present case at the instigation of her brother-in-law. The relevant portion of her statement is reproduced below:-

> "I met Raj Kishore Parida at my friend's house. We used to talk to each other, and gradually, we fell in love. I informed my parents and told them that I wanted to marry him. Thereafter, his family members came and agreed to the marriage; however, the Kundli Matcher (Abadhan) stated that the marriage would not be solemnised there.
> My brother-in-law, Kamal Lochan, wanted to get me married to his maternal uncle's son. He used

to threaten me in this regard. I informed Raj Kishore about the same over the phone. On 12th April, he came and took me away, and we got married at Tarini Temple. After the marriage, I went to my matrimonial home.

The following morning, a meeting was held. My father asked me whether I had come of my own free will, to which I replied in the affirmative, stating that I had come voluntarily. Thereafter, my father and brother assaulted me. Since that day, I have been residing at my mother-in-law's house.

My mother has lodged a false case against the petitioner. At present, I am residing happily at my matrimonial home. My brother-in-law wanted to marry me; therefore, he instigated my mother to lodge the present case. I wish to continue residing at my matrimonial home."

(Transcribed in English)

7. The petitioners and the opposite party Nos.2 and 3 are present in Court and being represented and identified by their respective counsels. They have also filed self-attested copies of their Aadhaar Cards to establish their identity, which are taken on record.

8. The petitioners and the informant and the victim have filed joint affidavit dated 12.10.2026, inter alia, stating that they have amicably settled the dispute. For the sake of convenience and ready reference, the relevant portion of the joint affidavit is extracted hereinbelow:-

"1. That the victim of the case and informant of the case are related to Special Case No. 79/2016/190/2015 corresponding to C.T. Case No. 234/2014 arising out of Jaleswar P.S. Case No. 89/2014 pending in the file of learned Special Judge, Balasore for the offences U/s. 341, 3423, 294, 363, 366, 376(2)(i), 506, 109/34 of IPC r/w. Sec. 4 of the POCSO Act, 2012.

2. That the victim of the case out of long standing love affairs with petitioner Raja @ Raj Kishore

Parida of CRLMC No. 3001/2023 solemnized her marriage in the year of 2014 i.e. 12.4.2014 in a temple marriage at Maa Tarini Mandir Mukulesi under the Police Station of Basta, Dist-Balasore and upon knowing the said on dated 15.4.2014, the informant of the case lodged the F.I.R.

3. That now in the mean while the victim out of her best wed luck with Raja @ Raj Kishore Parida, Petitioner in CRLMC No. 3001/2023 blessed with two children and the copy of the Birth Certificate/Aadhar Card are appended herewith as Appendix-A Series.

4. That now in the mean while the victim has also attended her age of majority and the victim is now residing with her in-laws house including Father-in-law, Mother-in-law namely Umakanta Parida, Jharanalata Parida those are the petitioners in CRLMC No. 3607/2026 happily without any difficulties in any manner whatsoever.

5. That the informant of the case has also been now good visiting term with the petitioners house and the petitioners also without any difficulties in any manner whatsoever in otherwise it can be hereby say that the good relationship between the petitioners with the informant and the victim has already been restored and both the families having cordial relationship.

6. That under the above circumstances the victim and the informant in the case are no more interested to proceed with the case simultaneously the petitioners also in any manner whatsoever and by virtue of this joint compromise affidavit they are hereby prayed that the entire criminal proceeding may kindly be quashed/set aside for all times to come with none of the parties having any objection to that effect."

9. On query from the Court, the opposite party No.3, the victim in the present case, who is present in Court, submits that she has settled the dispute with the petitioners and is leading a happy conjugal life with the petitioner Raja @ Raj Kishore Parida. Out of their wedlock, they have been blessed with two children, one

female and one male. The opposite party No.2 being the mother of the victim has also stated that, as the dispute has been settled and her daughter is residing peacefully at her matrimonial home, she does not want to proceed further with the case against the petitioners.

10. Vide order dated 04.11.2026 passed in CRLMC No. 3607 of 2026, learned counsel for the State was directed to obtain instructions regarding the authenticity and genuineness of the joint affidavit filed by the parties. Pursuant thereto, the I.I.C., Jaleswar P.S., has submitted a report dated 10.11.2026, which is taken on record. The relevant portion of the report is reproduced below:-

> "With reference to the above cited case and subject, I have the honour to submit that in compliance with the direction of the Hon'ble High Court, I contacted the informant, Smt. Malati Das, W/o Chitta Ranjan Das of Village Ektali, P.S. Jaleswar, District Balasore, who stated that her daughter is married to Raja @ Raj Kishore Parida, S/o Umakanta Parida of Village Begunia, P.S. Basta, District Balasore, and they are blessed with one daughter and one son. She further stated that her daughter is presently residing peacefully at her matrimonial home and that she is not interested in pursuing the case any further. On being contacted, the victim also stated that she is presently living happily with her husband, in-laws and two children at her matrimonial home. Both the informant and the victim further stated that they have filed a joint affidavit before the Hon'ble High Court seeking quashing of the case."

11. Mr. Dash, learned Additional Standing Counsel appearing for the State submits that the parties have amicably settled their dispute and the victim has

married the petitioner and is leading a peaceful conjugal life with him. They have also been blessed with two children. The parties have filed a joint affidavit to that effect, which has also been confirmed by the I.I.C., Jaleswar P.S., this Court may give indulgence in the present matter as there is no legal impediment.

12. Regard being had to the submission of the parties and the fact that the parties have settled their dispute and keeping in view 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***, I am of the considered view that subjecting the petitioners to the rigors of the trial would be a futile exercise. Therefore, the petition deserves merit.

13. Accordingly, the criminal proceeding in CRLMC No.3607 of 2024 in connection with Special Case No.190 of 2015 corresponding to C.T. Case No.234 of 2014 arising out of Jaleswar P.S. Case No.89 of 2014 pending in the Court of the learned Special Judge (POCSO), Balasore and in CRLMC No.3001 of 2023 in Special Case No.79/2016/190/2015 corresponding to C.T. Case No.234 of 2014 arising out of Jaleswar P.S. Case No.89 of 2014 pending in the Court of the learned Special Judge, Balasore and the consequential

proceedings arising therefrom qua the petitioners are quashed.

14. The CRLMCs are accordingly disposed of.

(S.S. Mishra)
Judge

Swarna

Signature Not Verified
Digitally Signed
Signed by: SWARNAPRAVA DASH
Reason: Authentication
Location: High Court of Orissa
Date: 17-Nov-2026 10:42:41