IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2642 of 2026
CNR No. ODHC010540262026

Rahul Kumar Jena & Others ***.....*** ***Petitioners***

Represented by Adv.-
Jyotisagar Swain
along with
A.K. Behera, Adv.

-versus-

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

Represented by Adv. -
Dillip Kumar Sahoo,
(Informant/O.P. No.2)
Mr. S.J. Mohanty, ASC

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

ORDER

Order No. **25.11.2026**

05. 1. At the At the instance of opposite party No.2, the F.I.R. in connection with Bari Ramachandrapur P.S. Case No.57 of 2020, corresponding to C.T. (Spl.) No.17 of 2020, pending in the Court of the learned Additional District and Sessions Judge, Jajpur, came to be registered against the petitioners. After completion of investigation, charge sheet was filed on 09.07.2020. The learned Court below has taken cognizance of the offences punishable under Sections 341, 323, 294, 379, 506 and 34 of the IPC read with Sections 3(1)(r), 3(1)(s) and 3(2)(v)(a) of the SC/ST Act, 1989, against the petitioners.

2. Learned counsel for the petitioners submits that although cognizance of the aforesaid offences has already

been taken, charges have not yet been framed and the matter is presently posted for appearance of the parties. Since the parties have amicably settled their disputes, the petitioners have approached this Court seeking quashing of the entire criminal proceedings initiated at the instance of opposite party No.2.

3. The parties have filed a joint affidavit dated 15.07.2026. Vide order dated 06.11.2026, learned State Counsel was directed to verify the genuineness and authenticity of the said affidavit.

4. Pursuant to the aforesaid order, learned State Counsel has placed on record a report dated 19.11.2026 submitted by the I.I.C., Bari Ramachandrapur P.S., inter alia, stating as under:

> "*In obedience to the reference and subject cited above, I beg to report that as desire by the Hon'ble court, the complainant in Bari Ramchandrapur PS case No.57/2020 had filed one Affidavit sworn before Notary Public Jajpur, dt. 18.11.26 in which the complt does not want to proceed in this case further as the dispute between her with the accused persons was ended in compromise and she further take an oath to drop the proceeding. The photocopy of the said Affidavit is annexed here with for kind perusal of the Hon'ble court.*"

5. The petitioner Nos.3 & 5 and the Opp. Party No.2 are present in the Court personally and the Petitioner Nos.1, 2 and 4 appeared through Virtual Mode and have been identified by their respective learned counsels and the parties have filed their self-attested Aadhaar Cards, which are taken on record.

6. On being queried by the Court, opposite party No.2 submits that the petitioners are her relatives and due to certain misunderstandings, she had lodged the aforesaid

case. She further submits that the dispute has now been amicably resolved and she is no longer interested in pursuing the criminal proceedings any further. A joint affidavit to that effect has also been filed, inter alia, stating as under:

> *"2. That, on doubt, when the police interrogated the husband of the informant, counter FIR was registered at the instance of the Informant.*
>
> *3. That, in the meanwhile, considering the future life of the daughter of the Petitioner No.4 as well as all the parties, the matter has been settled amicably between both the paries on the interference of village gentries and their well-wishers.*
>
> *4. That the present petition is filed for seeking quashing of proceeding in connection with Bari Ramachandrapur PS Case No. 57/2020 for the offences u/s.341/ 323/ 294/ 379/ 506/ 34 of IPC r/w. Section 3(1)(r), 3(1)(s), 3(2)(v) (a) of SC/ST Act, 1989 corresponding to C.T(SPL) No. 17/2020, pending in the Court of Learned Addl. District and Sessions Judge-cum-Special Judge, Jajpur."*

7. Learned counsel appearing for the State submits that, in view of the amicable settlement arrived at between the parties, the State has no serious objection to quashing of the criminal proceedings.

8. Having considered the nature of the allegations levelled in the F.I.R., the relationship between the parties, the circumstances leading to institution of the criminal case, the subsequent amicable settlement arrived at between them with the intervention of village elders and well-wishers and the categorical stand of opposite party No.2 before this Court that she is no longer interested in pursuing the criminal proceedings, 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***.

9. Accordingly, the entire criminal prosecution in connection with F.I.R. in Bari Ramachandrapur P.S. Case No.57 of 2020, corresponding to C.T. (Spl.) No.17 of 2020 pending in the Court of learned Addl. District & Sessions Judge, Jajpur and all the consequential proceedings arising therefrom, stands quashed.

10. The CRLMC is accordingly disposed of.

(S.S. Mishra)
Judge

Rati Ranjan

Signature Not Verified
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Signed by: RATI RANJAN NAYAK
Reason: Authentication
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