IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2639 of 2026
CNR No. ODHC010589592026

Krishna Singh & Others **.....** ***Petitioners***

Represented by Adv. -
Anjan Kumar Biswal

-versus-

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

Represented by Adv. -
Sarbeswar Sahoo
Mr. A.K. Apat, AGA

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

ORDER

Order No. **06.11.2026**

02. 1. At the instance of opposite party No.2, the F.I.R. in connection with Angul P.S. Case No.552 of 2021, corresponding to G.R. Case No.1081 of 20212021 pending in the Court of learned J.M.F.C, Banarpal registered for commission of offences punishable under Sections 498-A, 294, 323, 506, 34 and 406 of the IPC and Section 4 of the D.P. Act, 1961 against the petitioners.

2. The petitioners have approached this Court invoking its inherent jurisdiction seeking quashing of the aforesaid F.I.R. and all consequential proceedings arising therefrom.

3. A joint affidavit dated 21.09.2026 has been filed by the petitioner No.2 and the Opp. Party No.2, *inter alia*, stating as under:-

"2. That the matter is settled in between the petitioners and the opp. party no.2 on intervention of relatives. Both the petitioner no.2 and opp. party no.2 decided to live separately. The petitionemo.2 who is the husband has agreed to give Rs.11,20, 000/- (rupees eleven lakhs twenty thousands) to the opp. party no.2 towards permanent alimony and the said amount has already been paid to the opp. party no.2 by the petitioner no.2 and also the opp. party no.2 has given receipt to the petitioner no.2.

3. That the present FIR vide Angul P.S. Case No.552 dtd. 26.10.2021 has been filed by the opp. party no.2 out of anger and the said dispute is settled now on intervention of the relatives. So, the opp. party no.2 does not want to proceed with the case against the petitioner. The opp. party no.2 has no claim from the petitioner no.2 and she has nothing to get from the petitioner no.2. Both of them decided to take mutual divorce, since the opp. party no.2 has received the amount towards permanent alimony.

4. That if the case is dropped then the opp.party no.2 has no objection to the same. So, in the interest of justice the G.R. Case No. 1081/2021 pending before the J.M.F.C., Banarpal may be dropped."

4. The Opp. Party No.2 has also filed a separate affidavit, *inter alia*, stating as under:-

"2. That the matter is settled in between the petitioners and the opp.party no. 2 on intervention of relatives. The petitioner no.2 and opp.party no.2 decided to live separately. The petitionemo.2 who is the husband has agreed to give Rs. 16,50,000/-(Sixteen lakh fifty thousand) to the opp.party no.2 towards permanent alimony and the said amount has already been paid to the opp.party no.2 by the petitioner no.2 and also the opp.party no.2 has given receipt to the petitioner no.2.

3. That the present FIR vide Angul P.S. Case No.552 dtd. 26.10.2021 has been filed by the opp.party no.2 out of anger and the said dispute is settled now on intervention of the relatives. So, the opp.party no.2 does not want to proceed with the case against the petitioners. If the ease is dropped then the opp.party no.2 has no objection to the same. So, in the interest of justice the G.R. Case No.1081/2021 pending before the J.M.F.C., Banarpal may be dropped."

5. The petitioner and the Opposite party No.2 are present in Court through virtual mode and have been identified by their respective learned counsels and they have filed photocopies of their respective aadhaar cards to establish their indent, which are taken on record.

6. On being queried by the Court, Opposite Party No.2 submits that the matrimonial dispute between the parties has been amicably settled and she has received the settlement amount and both parties have decided to seek dissolution of their marriage by mutual consent by filing an appropriate application under Section 13-B of the Hindu Marriage Act, 1955. She further submits that she does not intend to pursue the criminal proceedings any further and has no objection to quashing of the same.

7. Learned counsel appearing for the State submits that the dispute arises out of a matrimonial discord and 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 subsequent developments and more particularly, the fact that the parties have amicably resolved their matrimonial 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 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 Angul P.S. Case No.552 of 2021, corresponding to G.R. Case No.1081 of 2021 pending in the Court of learned J.M.F.C, Banarpal 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
Digitally Signed
Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: OHC
Date: 11-Nov-2026 17:14:38