IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.3372 of 2026
CNR No. ODHC010680832026

Sanjay @ Sekh Nuralam **.....** ***Petitioner***

Represented by Adv. - Biswaranjan Dalai

-versus-

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

Represented by Adv. - Uma Charan Mishra, S.J. Mohanty, ASC

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

ORDER
28.10.2026

Order No.

02. 1. At the instance of the opposite party No.2, the F.I.R. in connection with Markatnagar P.S. Case No. 129 of 2023 corresponding to G.R. Case No.542 of 2023 came to be registered against the petitioner and other accused persons for the alleged commission of offences punishable under Sections 341/ 294/ 323/ 506/ 354-A/ 427/ 34 of IPC, pending in the Court of the learned J.M.F.C-I(Cog. Taking), Cuttack.

2. The allegation against the petitioner, as per the FIR, is that on 01.07.2023 at about 2.35 PM, the Opp. Party No.2, being the informant presented a written report at Markatnagar Police Station alleging therein that, after failure of the mediation in the High Court Mediation Centre, a disturbance started between the parties due to the

comment of the counsel of the co-accused Abhishek Mishra. It is further alleged that the said counsel also threatened to the maternal uncle of the informant and assaulted in hand to Smt. Kirti Gupta, who had accompanied with the informant. It is also further alleged that the driver of the co-accused Abhishek Mishra along with another rebuked the informant and others in filthy languages. The petitioner had also assaulted on the right hand figure of the informant causing injury on her nail. Subsequently the police reached the Mediation Centre, then the both the parties went to the Markatnagar Police Station and both the co-accused Abhishek Mishra and the opp. party No.2 lodged written reports against each other, for which this present case (Markatnagar P.S. Case No. 129 of 2023) as well as Markatnagar P.S. Case No. 128 of 2023 were registered against the parties.

3. Upon completion of investigation, the police submitted charge sheet on 28.02.2025. The learned J.M.F.C-I(Cog. Taking), Cuttack took cognizance of the offences punishable under Sections 341, 294, 323, 506 & 34 of the I.P.C against the petitioner vide order dated 25.03.2025.

4. It is brought to the notice of this Court that a similar F.I.R. arising out of the same incident was registered at the instance of opposite party no. 2 against the other accused persons, who had approached this Court in CRLMC No. 2740 of 2026 for quashing of the criminal proceedings.

This Court vide order dated 12.10.2026 passed in CRLMC No.2740 of 2026 quashed the F.I.R. in connection

with Markatnagar P.S. Case No.129 of 2023 corresponding to G.R. Case No.542 of 2023, pending in the Court of learned J.M.F.C.(I), Cuttack along with the consequential proceedings arising therefrom. The present F.I.R. is also an off-suit arises out of the same dispute.

5. Learned counsel for the petitioner submits that the co-accused persons, who had filed CRLMC No. 2740 of 2026, had appeared before this Court when the matter was taken up on 12.10.2026. In view of the same, learned counsel for the petitioner seeks exemption from the personal appearance of the petitioner as well as the co-accused persons before this Court.

6. The informant-opposite party no.2 is present in Court through V.C. Mode and she has been identified by her lawyer. She has also filed the self-attested copies of her Aadhaar card to establish her identity, which is taken on record.

7. The Opp. Party No.2 has filed an affidavit dated 25.10.2026, *inter alia*, stating as under:-

> *"1. That the marriage between Abhishek Mishra & present 0pp. party No-2 (Meghna Dixit) was solemnized on 30.11.2022 as per Hindu rites and costumes prevailing in their soceity, in presence of their respective family relatives and friends at the parental house of the Opp. Party No.2. There is no child born from the wedlock.*
>
> *2.That since both the parties could not pull well for various reasons they have decided to separate peacefully and to resolve all the disputes among them.*
>
> *3. That in the meantime above referred Abhishek Mishra 85 present opp. party no-2 have filed the petition for divorce on*

mutual consent before the Ld Judge, Family Court, Bhubaneswar which was registered as C.P No-509/2026.

4. That now it is agreed by both the parties that they would separate peacefully and on mutual consent Divorce will be obtained.

5. That the present opp. party no-2 (Meghna Chitrotpala Dixit) humbly prays that Markatnagar P.S Case No-129/2023 corresponding to G.R. Case No 542 of 2023 pending in the Court of learned J.M.F.C (I), Cuttack was lodged by her. In that case 3 persons were charge sheeted namely (i) Shri Abhishek Mishra (ii) Shri Ramanikanta Pattnaik & (iii) Present petitioner Sanjay @ Sekh Nuralam.

6. That 2 of the above referred accused persons namely Shri Abhishek Mishra & Shri Ramanikanta Pattnaik have filed CRLMC No-2740/2026 before this Hon'ble Court for quashing on the basis of mutual settlement. Present Petitioner Sanjay @ Sekh Nuralam filed present CRLMC No-33 72/2026 for quashing on the basis of same mutual settlement. On 12.10.2026 when the matters were on board the present 0pp. party no-2 (Meghna Dixit) has given consent for quashing also. This Hon'ble Court taking into account the facts & circumstances have been pleased to quash the criminal proceeding i.e CRLMC No-2740/2026 by Order Dtd 12.10.2026. However the present petition i.e CRLMC No-3372/2026 was adjourned as affidavit of the present opp. party no-2 (Meghna Dixit- Deponent) was not there in the present proceeding.

7. That the Opp. party No-2 (Meghna Chitrotpala Dixit) humbly prays that she is the informant(victim) in Markatnagar P.S Case No-129/2023 corresponding to G.R. Case No 542 of 2023 pending in the Court of learned J.M.F.C (I), Cuttack and prays before this Hon'ble Court that Markatnagar P.S Case No-129/2023 corresponding to G.R. Case No 542 of 2023 pending in the Court of learned J.M.F.C (I), Cuttack may kindly be quashed as the matter arises out of a matrimonial dispute & the matter has been settled among the parties."

8. Both the learned counsel appearing for the parties have conjointly pray for the quashing of the F.I.R. on the

basis of settlement as has been reflected in the affidavit filed by the Opp. Party No.2 which is reproduced herein above.

9. Regard being had to the allegation made by the informant/opposite party no.2 against the petitioner and the fact that they have settled the dispute, 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 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***.

10. Accordingly, the entire criminal prosecution in connection with F.I.R. in Markatnagar P.S. Case No.129 of 2023 corresponding to G.R. Case No.542 of 2023, pending in the court of the learned J.M.F.C.(I), Cuttack and consequential proceedings arising therefrom qua the present petitioner stands quashed.

11. The CRLMC is disposed of.

(S.S. Mishra)
Judge

Signature Not Verified
Digitally Signed
Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: OHC
Date: 31-Oct-2026 17:17:14