IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3516 of 2026
CNR No.ODHC010708862026

Suresh Sahoo .... **Petitioner**

Mr. Pravin Kumar Hota, Advocate

-versus-

State of Odisha & another .... **Opp. Parties**

Mr. R.B. Dash, ASC
Mr. Gourav Dash, Advocate

CORAM:
HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

Order No.
02.

ORDER
29.10.2026

1. Vide order dated 30.09.2026, the notice was issued to the opposite party no.2. Pursuant thereto, Mr. Gourav Dash, learned counsel has entered appearance on behalf of the said opposite party no.2 by filing Vakalatnama in Court today. The said Vakalatnama is taken on record.

2. Heard.

3. At the instance of the opposite party no.2, the F.I.R. in connection with Uditnagar P.S. Case No.334 of 2022 corresponding to S.T. Case No.117 of 2023 came to be registered against the petitioner for the alleged commission of the offences punishable under

Sections 498-A/294/323/324/307/506 of IPC, pending in the Court of the learned 1st Additional District & Sessions Judge, Rourkela.

4. The prosecution case, in brief, is that on 15.12.2022 at about 19:00 hours, the Opposite Party No. 2/complainant-wife lodged a complaint before the I.I.C., Udit Nagar Police Station, alleging commission of offences by the petitioner. On the basis of the said complaint, Udit Nagar P.S. Case No.334 of 2022 was registered under Sections 498-A, 294, 323, 324, 307 and 506 of the I.P.C. It was alleged that, owing to matrimonial discord and differences between the petitioner and the complainant, a quarrel had ensued between them four days prior to the incident. On the date of occurrence, when a locked room in the house was opened, the petitioner became enraged and in the course of the ensuing altercation, abused the complainant in filthy language and assaulted her with a stone, causing injuries to her head. It was further alleged that the petitioner attempted to strangulate her by pressing her neck and closing her mouth. On hearing the commotion, the neighbours intervened and rescued her. The petitioner also allegedly threatened to kill the complainant, thereby causing apprehension for her life and safety, and assaulted their two daughters.

5. The petitioner has filed the present petition for quashing of the entire criminal prosecution initiated

against him by the opposite party no.2 on the ground that the matter has been settled between the parties. The dispute is arising out of a matrimonial discord. Learned counsel for the petitioner submits that now the parties have settled their dispute. The petitioner as well as the opposite party no.2 are present in the Court today. They are being identified by their respective counsel. They have also filed their respective self-attested Aadhaar Cards to establish their identity, which are taken on record.

6. The parties have also filed the joint affidavit on 29.10.2026, *inter alia*, stating as under:

> *"3. That the deponents are husband and wife and are blessed with twin daughters. Both are aged about 9 years. The dispute giving rise to the aforesaid case arose out of matrimonial discord and misunderstandings between the husband and wife.*
>
> *4. That, with the intervention of the family members, elders and well-wishers and keeping the best interest of the minor children in mind, the deponents have amicably settled and resolved all their disputes and differences and have reconciled with each other. The settlement has been arrived at voluntarily, on the free will and consent of both the deponents, without any coercion, undue influence, pressure or inducement from any quarter.*
>
> *5. That the deponents petitioner-husband and informant-wife have settled all their differences and are residing together peacefully in their marital home with their twin daughters.*
>
> *6. That the deponent No.2 has no subsisting grievance against the deponent No.1 and has no objection if the entire aforesaid criminal*

proceeding is quashed by this Hon'ble Court. The deponents do not wish to proceed with the said case any further, keeping in view the maintenance of a good, healthy and peaceful relationship between them and the future and welfare of their two children.

7. That this Hon'ble Court vide order dated 30.09.2026 passed in CRLMC No.3516 of 2026 and I.A. No.2619 of 2026, was pleased to direct the parties to file a joint affidavit indicating the settlement arrived at between them. Accordingly, this joint affidavit is being filed before this Hon'ble Court for just, proper and effective adjudication and in the interest of justice.

8. That in compliance with the order dated 30.09.2026 passed by this Hon'ble Court, both deponents are personally present before this Hon'ble Court today, i.e., 29.10.2026.

9. That in view of the above facts and circumstances, the interest of justice would be best served if the entire criminal proceeding arising out of Udit Nagar P.S. Case No.0334 of 2022, corresponding to S.T. Case No.117 of 2023 pending on the file of the learned 1st Addl. District & Sessions Judge, Rourkela, corresponding to G.R. Case No.2329 of 2022 on the file of the learned SDJM (P), Rourkela, including the Charge Sheet No.02 dated 10.01.2023, for offences u/s. 498-A/294/322/324/307/506 of IPC is quashed taking into account this joint affidavit and the declarations made herein, failing which the deponents will suffer irreparably and substantially."

7. Learned counsel for the opposite party no.2 submits that since they have settled the matter and they have also filed joint affidavit in that regard reiterating their stand to abide by the settlement

terms, the criminal proceeding against the petitioner may be quashed.

8. Learned counsel for the State submits that since the parties have settled their dispute and they have filed the joint affidavit in that regard and there is no legal impediment, the same may be quashed.

9. Regard being had to the affidavit sworn by the parties and the settlement made between them before the Court, I am inclined to allow the present petition. In the fact scenario of the case, subjecting the petitioner to the rigors of trial is destined to be a futile exercise. The present case is squarely covered by the judgments of the Hon'ble Supreme Court in the cases of ***Gian Singh v. State of Punjab and another,*** reported in ***2012 (10) SCC 303; B.S. Joshi & others v. State of Haryana & another,*** *reported in* ***(2003) 4 SCC 675*** and ***Madhavrao Jiwajirao Scindia & another v. Sambhajirao Chandrojirao Angre and others***, reported in ***AIR 1988 SC 709,*** therefore, the petition deserves merit.

10. Taking into consideration the aforementioned judgments, the facts of the case and submissions made at the Bar, the F.I.R. in connection with Uditnagar P.S. Case No.334 of 2022 corresponding to S.T. Case No.117 of 2023 pending in the Court of learned 1st Additional District & Sessions Judge, Rourkela and the consequential proceedings arising therefrom qua the petitioner are quashed.

11. The CRLMC is accordingly disposed of.

(S.S. Mishra)
Judge

Subhasis

Signature Not Verified
Digitally Signed
Signed by: SUBHASIS MOHANTY
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 31-Oct-2026 10:06:47