

(2022) 02 OHC CK 0169
In the Orissa High Court
Case No : CRLMC No. 2809 Of 2021

Amarpreet Singh Dhanjal & Ors

APPELLANT

Vs

State Of Orissa & Anr

RESPONDENT

Date of Decision : 23-02-2022

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Citation : (2022) 02 OHC CK 0169

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : Manoranjan Mishra, S.S. Pradhan

Final Decision : Disposed Of

Judgement

Savitri Ratho, J

CRLMC No. 2809 of 2021 & I.A. No. 2152 of 2021

The matter is taken up by hybrid mode.

Mr. Manoranjan Mishra, learned counsel for the petitioner draws my attention to Annexure-3 which is the agreement dated 29.11.2021 between the petitioners and the opposite party no.2-informant from which it is apparent that the parties have decided to dissolve the marriage between the first party and second party no.1 and also agreed that both the parties will withdraw the cases pending in the respective courts and the present case and the details of the present case i.e. 1CC Case No. 40 of 2019 corresponding to Barbil P.S. Case No. 139 of 2019 (G.R. Case No. 404 of 2019) pending in the court of J.M.F.C., Barbil has been indicated. He further submits that the marriage between the parties has been dissolved vide 31.01.2022. He also submits that as the matter has been settled between the parties and they do not want to proceed with the cases filed against each other, this application under Section 482 Cr.P.C. has been filed for quashing the G.R. Case No. 404 of 2019 pending in the court of J.M.F.C., Barbil.

Considering the said submission, issue notice to the opposite parties. Since Mr. S.S. Pradhan, learned Additional Government Advocate accepts notice on behalf of Opposite Party No.1, an extra copy of the brief be served on him within seven working days enabling him to obtain instruction in the matter.

Requisites for issuance of notice on Opposite Party No.2 by Speed Post/ Registered Post with A.D. shall be filed within seven working days. Notice be issued making it returnable within four weeks.

List this case on 30.03.2022.

Accept one set of process fee.

As an interim measure, it is directed that further proceeding in G.R. Case No. 404 of 2019 pending in the court of J.M.F.C., Barbil shall remain stayed till the next date.

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