

(2023) 04 OHC CK 0010
In the Orissa High Court
Case No : CRLMC No.1286 Of 2023

Ayush Akhilesh Behera @ Ayush Behera APPELLANT
Vs
State Of Odisha And Another RESPONDENT

Date of Decision : 03-04-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Citation : (2023) 04 OHC CK 0010

Hon'ble Judges : Sashikanta Mishra, J

Bench : Single Bench

Advocate : S.S.Ray2, S.K.Mishra, P. Ray

Final Decision : Disposed Of

Judgement

Sashikanta Mishra, J

1. This matter is taken up through hybrid mode.
2. As directed the Petitioner(Ayush Akhilesh Behera @ Ayush Behera) and the informant (Rabindra Subash Mahajan-Opp.Party No.2) are present in Court being identified by their counsels namely, Mr. S.S.Ray-2, and Mr. P. Ray respectively.
3. The present application under Section 482 of the Cr.P.C. has been filed by the Petitioner with a prayer to quash the proceedings in G.R. Case No.437/2023 arising out of Thelkoli P.S. Case No.51/2023 pending in the file of learned S.D.J.M., Sambalpur.
4. A joint affidavit has been filed being sworn by the Petitioner Ayush Akhilesh Behera @ Ayush Behera and Rabindra Subash Mahajan-Opp.Party No.2. They also filed their original Aadhaar Cards being substituted by attested xerox copies thereof. They have also filed joint affidavit in Court indicating that with intervention of the members of the Truck Owners' Association and senior officials and village gentries, the matter has been amicably settled between them and they have no grievance against each other and also to maintain cordial

relationship. On being asked the informant Rabindra Subash Mahajan submits that he has filed this affidavit of his own volition and without any pressure or coercion from any quarter whatsoever and that he does not wish to further in the case.

5. Under such circumstances, no fruitful purpose would be served by allowing continuance of the criminal proceedings against the Petitioner. This Court is, therefore, inclined to allow the prayer of the Petitioner. The proceedings in G.R. Case No.437/2023 arising out of Thelkoli P.S. Case No.51/2023 pending in the file of learned S.D.J.M., Sambalpur are hereby quashed.

6. The CRLMC is, accordingly, disposed of.

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