
(2022) 12 OHC CK 0057
In the Orissa High Court
Case No : CRLMC No.3523 Of 2022

Dhiraj Kumar Sahoo @ Dhanu And Others	APPELLANT
Vs	
State Of Odisha And Others	RESPONDENT

Date of Decision : 07-12-2022

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 34, 294, 323, 341, 506

Citation : (2022) 12 OHC CK 0057

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : R.K.Pradhan, S.Pattanayak

Final Decision : Disposed Of

Judgement

Savitri Ratho, J

1. In this application under Section 482 Cr.P.C., the petitioners have prayed for quashing the proceeding in G.R. Case No.596 of 2021 pending in the file of learned S.D.J.M. (S), Cuttack for commission of offence punishable under Sections 294/323/341/506 read with Section 34 of IPC.

2. Mr.R.K.Pradhan, learned counsel for the petitioners submits that petitioner Nos.1 and 2 are the nephew of opposite party No.2 and petitioner No.3 is their neighbour and the case was a result of a civil dispute between the petitioner Nos.1 and 2 and opposite party No.2. In the meanwhile, the matter has been settled between the parties out of Court and opposite party No.2 does not want to proceed with the case, for which no useful purpose will be served by keeping the case pending.

3. Considering the above submissions, issue notice to the opposite parties.

4. Notice on behalf of opposite party No.1 is accepted by Ms. S.Pattanayak, learned Additional Government Advocate. Since Mr.Lalitendu Bhuyan, learned

counsel files Vakalatnama on behalf of opposite party No.2 waiving notice, notice need not be sent to opposite party No.2 and a copy of the petition is served on him in Court.

5. Mr. Bhuyan, learned counsel files an affidavit stating that the matter has been settled between the parties and opposite party No.2 does not want to proceed with the case. Copy of the said affidavit be served on learned Additional Government Advocate in course of the day.

6. List this matter tomorrow (08.12.2022), as counsels for the parties undertake that the parties shall appear in person.

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