

(2023) 04 OHC CK 0167
In the Orissa High Court
Case No : CRLMC No.773 Of 2023

Kartik Sahu And Others

APPELLANT

Vs

State Of Odisha And Another

RESPONDENT

Date of Decision : 17-04-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Citation : (2023) 04 OHC CK 0167

Hon'ble Judges : Sashikanta Mishra, J

Bench : Single Bench

Advocate : J.K.Majhi, S.K.Mishra, T.J.Pani

Final Decision : Disposed Of

Judgement

Sashikanta Mishra, J

1. This matter is taken up through hybrid mode.
2. As directed the Petitioner No.2 (Baidhar Sahu) and the Opposite Party No.2 (Leena Sarita Xaxa) are present in Court being identified by their counsels namely, Mr. J.K.Majhi and Mr. T.J.Pani 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 Special Case No.49/2022 arising out of Baliapal P.S. Case No.131/2022 pending in the file of learned Special Judge (SC/ST), Balasore.
4. An affidavit has been filed being sworn by the informant (Opposite Party No.2). They also filed their original Aadhaar Card, which is returned being substituted by attested xerox copies thereof. The informant has also filed affidavit in Court indicating that the dispute between them has been amicably resolved and she is residing peacefully in her matrimonial home. On being asked the informant submits that she has filed this affidavit of her own volition and without any pressure or coercion from any quarter whatsoever and that she does

not wish to proceed 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 Special Case No.49/2022 arising out of Baliapal P.S. Case No.131/2022 pending in the file of learned Special Judge (SC/ST), Balasore.

6. The CRLMC is, accordingly, disposed of.

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