

**(2024) 02 OHC CK 0228**  
**In the Orissa High Court**  
**Case No : CRLMC No.1079 Of 2023**

Kiran Kumar Pati

APPELLANT

Vs

State Of Odisha & Another

RESPONDENT

**Date of Decision :** 26-02-2024

**Acts Referred:**

Code of Criminal Procedure, 1973 — Section 482  
Indian Penal Code, 1860 — Section 376(2)(n), 493, 506

**Citation :** (2024) 02 OHC CK 0228

**Hon'ble Judges :** S.S. Mishra, J

**Bench :** Single Bench

**Advocate :** Sidharth Prasad Das, Rajendra Narayan Rout, B.K. Ragada,  
Sitakanta Hota

**Final Decision :** Disposed Of

## Judgement

S.S. Mishra

1. The present petition is taken up for hearing in-camera. This petition under Section-482 Cr.P.C. has been filed seeking quashing of the F.I.R. in Berhampur Mahila P.S. Case No.12 of 2023 corresponding to G.R. Case No.83 of 2023 for the offences under Section-376(2)(n)/493/506 IPC against the petitioner. The said F.I.R. was registered at the instance of the opposite party no.2 against the petitioner. The opposite party no.2 is present in the Court today. Her statement has been recorded on Oath in a separate sheet.

2. Apart from the statement of the opposite party no.2 recorded on Oath in the Court today, the opposite party no.2 has also filed an affidavit dated 26.02.2024 which is taken on record. The opposite party no.2 is represented by her counsel. She has also filed photocopy of her self-attested Aadhaar Card to establish her identity, which is taken on record.

3. Mr. Ragada, learned Additional Government Advocate submits that since the parties have now settled their dispute out of the Court and the opposite party

no.2 has not only filed the affidavit in the Court today but also made her statement on Oath before this Court and stated that she does not want to proceed with the case, there is no legal impediment in quashing the F.I.R.

4. Taking into consideration the aforementioned facts and submissions of the learned counsels at the Bar and the statement of the opposite party no.2 recorded on Oath in the Court today, the F.I.R. in Berhampur Mahila P.S. Case No.12 of 2023 corresponding to G.R. Case No.83 of 2023 pending in the Court of the learned S.D.J.M., Berhampur and the consequential proceeding arising therefrom qua the petitioner are quashed.

5. The CRLMC is accordingly disposed of.

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