

(2023) 02 OHC CK 0110
In the Orissa High Court
Case No : CRLMC No.274 Of 2023

Mukesh Ranjan Jena And Others

APPELLANT

Vs

State Of Odisha And Another

RESPONDENT

Date of Decision : 16-02-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 &mdas; Section 34, 323, 341, 498A, 506
Dowry Prohibition Act, 1961 — Section 4

Citation : (2023) 02 OHC CK 0110

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : J.N.Panda, S.Pattanayak

Judgement

Savitri Ratho, J

1. Mr. J.N.Panda, learned counsel for the petitioners submits that there are typographical errors in the description in the year of the C.T. Case, which should be "2021" instead of "2022" in the cause title, paragraph-1, paragraph-2, sub-paragraph-2 and in the prayer portion of the CRLMC petition.

2. This application under Section 482 of Cr.P.C. has been filed by the petitioners, who are the husband and in-laws of the opposite party No.2. The opposite party No.2 had lodged an F.I.R. in Bhawanipatna Town P.S. leading to registration of Bhawanipatna Town P.S. Case No.402 of 2021 corresponding to C.T. Case No.1160 of 2021 pending in the Court of learned S.D.J.M., Bhawanipatna for commission of offences under Sections 498-A/341/323/506/34 of I.P.C. read with Section 4 of the Dowry Prohibition Act.

3. Mr. Panda, learned counsel for the petitioners submits that the case has been registered on account of misunderstanding and now the opposite party No.2 is staying with petitioner No.1 and they are leading a happy conjugal life after amicably setting their differences and opposite party No.2 does not want to

proceed with the case.

4. Issue notice to the opposite parties.

5. Ms.S.Pattanayak, learned Additional Government Advocate accepts notice on behalf of opposite party No.1. Before the next date, she is directed to obtain instruction regarding the settlement between the parties and if opposite party No.2 is now staying with the petitioner No.1.Requisites for issuance of notice to opposite party No.2 by registered post with A.D. shall be filed by 20.02.2023. The notice shall be made returnable within four weeks.

6. List this matter in the week commencing 13th March, 2023.

7. Copy of this order be supplied to Ms.S.Pattanayak, learned Additional Government Advocate to enable her to obtain instruction.

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