

(2024) 03 OHC CK 0045
In the Orissa High Court
Case No : CRLMC No. 536 Of 2024

Prakash Chandra Behera

APPELLANT

Vs

State Of Orissa & Another

RESPONDENT

Date of Decision : 06-03-2024

Acts Referred:

Indian Penal Code, 1860 — Section 420

Citation : (2024) 03 OHC CK 0045

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

Bench : Single Bench

Advocate : Dipti Ranjan Mohapatra,

Final Decision : Disposed Of

Judgement

S.S. Mishra, J

1. At the instance of the opposite party no.2, the F.I.R. in Pattapur P.S. Case No.16 of 2024 arising out of G.R. Case No.16 of 2024 for the offence under Section-420 IPC came to be registered against the petitioner.

2. The opposite party no.2 is the complainant in this case and lodged a report before I.I.C., Pattapur P.S. alleging that in October, 2022, he had admitted his son in a coaching center at Bhubaneswar for entrance examination and for some time, the informant and his family members stayed at Bhubaneswar. At the coaching center, the complainant came in contact with the petitioner and he lured him of Govt. job. Then the complainant fell into the trap of the petitioner and gave a sum of Rs.6,50,000/- to the petitioner with condition that he will provide a Govt. job to his wife Pratima Kumari Rout and sister-in-law Priyanka Pradhan. But they did not get any job. The petitioner did not refund the money of the complainant. So the complainant registered the case against the petitioner.

3. The petitioner and the opposite party no.2 are present in the Court today and they are represented by their respective counsels. They have also filed photocopies of their respective self-attested Aadhaar Cards to establish their

identity, which are taken on record.

4. The opposite party No.2 has filed an affidavit dated 26.02.2024, inter alia, stating that the dispute between them has already been settled. The disputed amount has already been paid by the petitioner to the opposite party no.2 to his satisfaction. Therefore, the opposite party no.2 is not interested to prosecute the petitioner in the present case.

5. Mr. Maharaj, learned Additional Standing Counsel appearing for the opposite party no.1-State submits that the dispute is inter se parties and since they have settled their dispute amicably out of the Court, therefore, there is no legal impediment in quashing the F.I.R.

6. Taking into consideration the facts and submissions of the learned counsels at the Bar, the F.I.R. in Pattapur P.S. Case No.16 of 2024 arising out of G.R. Case No.16 of 2024 pending in the Court of the learned Nyayadhikari, Gram Nyayalaya, Sanakhemundi, and the consequential proceeding arising therefrom qua the petitioner are quashed.

7. The CRLMC is accordingly disposed of.

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