

(2024) 01 OHC CK 0109
In the Orissa High Court
Case No : CRLMC No.1541 Of 2023

Suchitra Lenka & Others Vs State Of Odisha & Another ?

Date of Decision : 11-01-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 120B, 294, 323, 420, 506

Citation : (2024) 01 OHC CK 0109

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

Bench : Single Bench

Advocate : Akshaya Kumar Nayak, Bijaya Kumar Ragada

Final Decision : Disposed Of

Judgement

S. S. Mishra, J

1. Heard.

2. The petitioners have filed this petition under Section-482 Cr.P.C. seeking quashing of the order of cognizance dated 06.04.2021 passed by the learned S.D.J.M., Bhubaneswar in C.T. Case No.3563 of 2020 under Sections-420/294/323/506/120-B IPC.

3. The allegations against the petitioners are that the petitioner no.2 is running a grocery shop and it is alleged that the petitioner no.1 has been taking grocery from the said shop. Since the petitioners have failed to pay the due amount to the opposite party no.2, the misunderstanding arose and an F.I.R. was lodged in Info City P.S. Case No.113, dated 26.08.2020 for the offences under Sections-420/294/323/506/120-B IPC.

4. After filing the charge sheet, now the cognizance has been taken by the learned trial Court vide impugned order dated 06.04.2021.

5. Learned counsel for the petitioners submits that now the petitioner no.1 has contacted the marriage with the opposite party no.2 and they are living a happy married life. The petitioner no.1 has placed on record the Marriage Certificate

dated 06.02.2023. The genuineness of the Marriage Certificate was verified by the I.I.C., Info City Police Station, Bhubaneswar.

6. Mr. Ragada, learned Additional Government Advocate submits that after verification, it was found that indeed the petitioner no.1 and the opposite party no.2 have married and living happy life and the marriage Certificate is genuine, as reported by the District Sub-Registrar, Cuttack.

7. The petitioner no.1- Suchitra Lenka and the opposite party no.2-Prabhudatta Satpathy are present in Court today. They are being identified by their respective advocates. They have filed photocopy of the Aadhaar Card on record to establish their identity.

8. Taking into consideration the fact that the petitioner no.1 and the opposite party no.2 have now married and living happy life, charge sheet dated 24.03.2021 in F.I.R. in Info City P.S. Case No.113, dated 26.08.2020 for the offences under Sections-420/294/323/506/120-B IPC and the consequential proceeding thereof are quashed.

9. Ordered accordingly.

10. The CRLMC is accordingly disposed of.

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