

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 250 of 2024

Sanjay Kumar Singh & others* *Petitioner(s)

Ms. Sujata Jena, Advocate

-versus-

State of Odisha & another* *Opposite Party(s)

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

12.02.2024

CRLMC No.250 of 2024 & I.A. No.77 of 2024

Order No.

01.

1. Heard.

2. The petitioners have filed the present petition seeking quashing of the entire proceeding arising out of ICC Case No. 617 of 2022 which is subsequently converted to Chauhiaganj P.S. Case No.160 of 2023 corresponding to G.R. Case No. 667 of 2023 under Sections 498A/323/352/314/504/506/34 of IPC read with Section 4 of D.P. Act, 1961 pending in the Court of learned J.M.F.C-IV (Cog Taking), Cuttack.

3. The present case is initiated by the opposite party no.2. Petitioner No.1 is the husband of opposite party no.2, whereas petitioner nos. 2 and 3 are the in-laws of the opposite party no.2.

4. Ms. Jena, learned counsel for the petitioners submits that on the basis of the document placed on record that the petitioner no.1 has become insane since 2018. She has also taken me to the Annexures-3 and 4 which are the handwritten letter written by the opposite party no 2 to the petitioners no.2 and 3. Reading of those letters indicates that opposite party no.2 had a cordial relationship with the petitioner nos.2 and 3 and she had no grievance against them. However, the complaint case is subsequently filed by the opposite party no. 2 against the husband and in-laws.

5. Ms. Jena, further states that despite these litigations amongst the parties, the petitioners no.2 and 3 have been paying maintenance to the opposite party no.2 of Rs.30,000/- every month and she further states that without prejudice to the right and contentions of either party her clients would be continuing paying the maintenance to the opposite party no.2.

6. Issue notice to the opposite parties.

Mr. Maharaj, learned Additional Standing Counsel appears and waives the notice on behalf of opposite party no.1. Let one extra copy of this petition be served on him.

Notice be issued to opposite party no.2 by Speed Post/Registered Post with A.D., fixing a short returnable date. Requisites shall be filed within three working days.

7. In the meantime, further proceeding in G.R. Case No. 667 of 2023 arising out of Chauliaganj P.S. Case No.160 of 2023 corresponding to 1CC Case No.617 of 2022 pending in the Court of learned J.M.F.C-IV (Cog Taking), Cuttack is stayed till the next date of hearing.

8. List this matter on 27th March, 2024.

Monalisa

