



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.260 of 2026

Papa @ Chinmay Panda *Petitioner(s)*
Mr. Lalatendu Samantaray, Sr. Adv.
along with associates
Mr. Rakesh Behera, Adv.

-versus-

State of Odisha *Opposite Party(s)*
Mr. Sonak Mishra, ASC
Name of the learned counsel for the
Informant not given

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order
No.

ORDER
26.02.2026

- 03.
1. This matter is taken up through hybrid arrangement.
 2. In the present CRLMC, the Petitioner who is alleged to be the attacker to the son of the informant, has prayed for quashing the entire criminal proceeding initiated against him in connection with C.T. Case No.753 of 2023 arising out of Sahadevkhunta P.S. Case No.362 of 2023 pending before the Court of learned S.D.J.M, Balasore.
 3. Heard.
 4. At the outset, learned counsel for the Petitioner and learned counsel for the informant in one tone submit that both the Petitioner and the Opposite Party No.2-informant



are willing and ready for amicable settlement of the dispute involved herein. They also file a joint affidavit to that effect.

5. In order to strengthen his case, learned Senior Advocate appearing on behalf of the Petitioner also relies on a decision of the Supreme Court in the case of *Naushey Ali & Ors. Vrs. State of U.P. & Anr.*¹. The relevant paragraphs of the said judgment is extracted herein below:-

“20. Having appraised the aforestated parameters and weighing upon the peculiar facts and circumstances of the two appeals before us, we are inclined to invoke powers under Article 142 and quash the criminal proceedings and consequently set aside the conviction in both the appeals. We say so for the reasons that:

20.1 Firstly, the occurrence(s) involved in these appeals can be categorized as purely personal or having overtones of criminal proceedings or private nature.

20.2 Secondly, the nature of injuries incurred, for which the appellants have been convicted, do not appear to exhibit their mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest.

20.3 Thirdly, given the nature of the offence and injuries, it is immaterial that the trial against the appellants had been concluded or their appeal(s) against conviction stand dismissed.

20.4 Fourthly, the parties on their own volition, without any coercion or compulsion, willingly and voluntarily have buried their differences and wish to accord a quietus to their dispute(s).

20.5 Fifthly, the occurrence(s) in both the cases took place way back in the years 2000 and 1995, respectively. There is nothing on record to evince that

¹ Criminal Appeal No.660 of 2025
(@ SLP Criminal No.3432 of 2023)



either before or after the purported compromise, any untoward incident transpired between the parties.

20.6 Sixthly, since the appellants and the complainant(s) are residents of the same village(s) criminal proceedings will advance peace, harmony, and fellowship amongst the parties who have decided to forget and forgive any ill will and have no vengeance against each other.

20.7 Seventhly, the cause of administration of criminal justice system would remain un-effected on acceptance of the amicable settlement between the parties and/ or resultant acquittal of the appellants; more so looking at their present age."

6. It is well settled that although the offences under Sections 147, 148, 341, 307 & 149 of the I.P.C and Sections 25 & 27 of the Arms Act are non-compoundable, the High Court, in exercise of its inherent jurisdiction under Section 482 of the Cr.P.C., is not denuded of power to quash the criminal proceeding where the dispute is essentially private and matrimonial in nature and the parties have voluntarily arrived at a genuine and complete settlement. The underlying object of such exercise is to secure the ends of justice and to prevent abuse of the process of the Court. Where the continuation of the criminal proceeding, despite an amicable settlement, would serve no fruitful purpose and would only perpetuate bitterness between the parties, the High Court would be justified in interdicting the prosecution, particularly when the informant himself has unequivocally expressed his consent for such quashing.



7. Considering the contents of the joint affidavit filed by the Petitioner and the Opposite Party No.2/ informant and following the ratio laid down by the Supreme Court in the case of *Naushey Ali & Ors. (supra)* and *Gian Singh v. State of Punjab and another*², and two other reported cases of this Court in *Lokanath @ Anadi Sethi and four others v. State of Orissa and four others*³, and *Sansuri alias Khageswar Lenka and another –vrs.- State of Orissa and Another*⁴, wherein this Court is of the opinion that no useful purpose will be served in allowing such proceedings to continue the criminal proceeding in the aforesaid case as it will only lead to abuse the process of law.

8. In view of the aforesaid discussion and considerations and looking to the decision of the Supreme Court in the case of *Naushey Ali & Ors. (supra)*, this Court quashes the entire criminal proceeding initiated against the Petitioner vide C.T. Case No.753 of 2023 arising out of Sahadevkhunta P.S. Case No.362 of 2023 pending before the Court of learned S.D.J.M, Balasore.

9. This CRLMC is, accordingly, disposed of.

² (2012) 10 SCC 303

³ 2014 (II) OLR 29

⁴ 2014 (II) OLR 452



9. Interim order, if any, passed earlier stands vacated.

(Dr. Sanjeeb K Panigrahi)
Judge

Ayaskanta