



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.911 of 2025

Garkin@gorkin Suribabu

.....

Petitioner

Represented by Adv. -
Ashok Kumar Parida

-versus-

State Of Odisha & Anr.

.....

Opposite Party

Represented by Adv. –
Mr. S.Behera, A.G.A.
Mr.Deepak Kumar Das
L.ray

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
26.02.2026
I.A. No.382 of 2026

Order No.

03.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application with a prayer for modification of order dated 10.07.2025 passed in CRLMC No.911 of 2025, thereby quashing the offences on the ground of compromise between the parties.
3. Learned counsel for the Petitioner at the outset contended that although the offences, which were non-compoundable in nature, were quashed granting liberty to the Petitioner to file an application for compounding of the offences which are compoundable in nature. Later on, at the time of forwarding the Petitioner the offence under Section 109 of the B.N.S.S. has been added. Learned counsel for the Petitioner further contended that no case under Section 109 is made



out as the injury sustained by the injured are simple in nature.

4. Learned counsel appearing for the Opposite Parties-Informant does not have any objection in the event the offence under Section 109 is quashed.

5. Learned counsel for the State on the other hand contended that the non-compoundable offences have already been quashed by virtue of the order dated 10.07.2025. He further submitted that in the event it is found that the injuries sustained are simple in nature he will have no objection in the event the same is quashed by keeping in view the fact that the matter has been amicably settled between the parties.

6. Taking into consideration the submissions made by the learned counsels for the respective parties, on a careful examination of the background facts, further taking note of the fact that the injuries sustained by the injured are simple in nature and that the parties have amicably settled their dispute and that the non-compoundable offences have already been quashed, this Court is inclined to quash the offence under Section 109 of the B.N.S.

7. Similarly, in the 3rd line of Para-9 of the order dated 10.07.2025 the offence under "Section 506 of I.P.C." be read as offence under "Section 351(2) of the B.N.S".

8. In view of such modification, the time to surrender of the Petitioner before the Court below is extended to another four weeks from today subject to depositing cost of Rs.1000/- (Rupees One Thousand) in the Advocates' Welfare Fund of Orissa High Court Bar Association within fifteen days and furnishing money receipt thereof



in proof of deposit.

9. It is made clear that, if the cost is not deposited within the stipulated time, time extended for the petitioner to surrender shall stand revoked automatically.

10. Accordingly, the I.A. stands disposed of.

(A.K. Mohapatra)
Judge

Rubi