



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1365 of 2026

Bijay Kumar Jena

....

Petitioner(s)

Mr. Pravash Chandra Jena, Adv.

-versus-

State of Odisha & Anr.

....

Opposite Party(s)

Ms. Gayatri Patra, ASC

Mr. P.P. K. Pandit, Adv. (for O.P. No.2)

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order No.

01.

ORDER

04.05.2026

1. This matter is taken up through hybrid arrangement.
2. By filing the present CRLMC, the Petitioner has prayed for quashing the entire criminal proceedings initiated against him in connection with C.T. Case No.462 of 2025, arising out of Bhograi P.S. Case No.269 of 2025, pending before the learned NGN-cum-JMFC, Bhograi.
3. Heard learned counsel for all the parties.
4. The prosecution case, in brief, is that on 26.08.2025, Opposite Party No.2 lodged a written report before the I.I.C., Bhograi P.S., alleging that the Petitioner, a cash-collecting agent of Aman Associate Pvt. Ltd. under TPNODL, Jaleswar Division, collected a total sum of Rs.4,54,780/- on 23.10.2025 and 24.10.2025 from various persons but failed to deposit the same with the S.D.O.,

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Location: HIGH COURT OF
ORISSA, CUTTACK
Date: 05-May-2026 19:00:18



Electric Office, Bhograi, as required and absconded with the amount, along with other allegations.

5. Learned counsel for the Petitioner submits that the dispute between the Petitioner and Opposite Party No.2 has been amicably settled. It is further submitted that the Petitioner has already refunded a substantial portion of the alleged amount and in view of such settlement, continuation of the criminal proceeding would be an abuse of the process of the Court.

6. Learned counsel for Opposite Party No.2, on the other hand, confirms the factum of settlement and submits that Opposite Party No.2 does not intend to proceed further with the case.

7. On perusal of the case record, it appears that the Opposite Party No.2 has filed an affidavit dated 27.04.2026, wherein it is stated as follows:

“....

2. That I am the Project-in-charge of Aman Associate Services Pvt. Ltd. under TPNODL, Jaleswar Division, Dist-Balasore under which the present petitioner is working as a cash collection supervisor of Aman Associate Services Pvt. Ltd. under TPNODL, Jaleswar Division.

3. That I lodged the F.I.R. against the petitioner in the allegation that the petitioner after collection of the collected money from the collection worker in different Division of TPNODL has not deposited



the same before me or my office then I lodged the F.I.R.

4. That now during pending disposal of the above case as per mutual discussion and settlement the petitioner deposited for an amount of Rs.4,30,000/- only in the name of my employer Aman Associate Services Pvt. Ltd. bearing D.D. No. 005852 of Axis bank Ltd. on dated 22.4.2026. The Xerox copy of the D.D. is attached herewith for ready reference and the original copy of the above D.D. I also received today on dated 27.04.2026.

5. That since the matter has already been amiably settled and the petitioner deposited Rs.4,30,000/- in shape of Demand Draft which I acknowledge on behalf of my employer accordingly I am no more interested to proceed with the case in any manner whatsoever and if the entire criminal proceeding will be quashed as against the present petitioner then I have no objection at all."

8. Learned counsel for the State has no objection if the proceeding is quashed in view of the settlement between the Petitioner and Opposite Party No.2.

9. Considering the submissions made by learned counsel for the parties, the contents of the affidavit filed by Opposite Party No.2 and the fact that the dispute is essentially of a financial/contractual nature which has been amicably resolved, this Court is of the view that continuation of the criminal proceeding would serve no useful purpose.



10. The Supreme Court in cases such as *Gian Singh v. State of Punjab*¹, *Narinder Singh & Ors. v. State of Punjab & Anr.*² and *State of Madhya Pradesh v. Laxmi Narayan & Ors.*³ has held that criminal proceedings involving predominantly civil disputes can be quashed in exercise of inherent powers under Section 528 of BNSS (erstwhile Section of the 482 Cr.P.C.) when parties have settled the matter amicably.

11. In the present case, the alleged offence arises out of a monetary dispute between employer and employee and does not involve any element of heinous crime or public interest. The matter having been settled and the complainant having received the amount, the possibility of conviction is remote.

12. Accordingly, in exercise of the inherent powers under Section 528 of BNSS (erstwhile Section of the 482 Cr.P.C.), this Court deems it fit and proper to quash the criminal proceeding initiated against the Petitioner in connection with C.T. Case No.462 of 2025 arising out of Bhograi P.S. Case No.269 of 2025, pending before the learned NGN-cum-JMFC, Bhograi.

13. The CRLMC stands allowed and disposed of.

14. Pending application (s), if any, shall stand disposed of.

¹ (2012) 10 SCC 303

² (2014) 6 SCC 466

³ (2019) 5 SCC 688



15. A copy of the order be communicated to the learned trial Court for information.

(Dr. Sanjeeb K Panigrahi)
Judge

Sipun