



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1462 of 2026

Chumki Naik @ Madhabi Naik *Petitioner (s)*
Ms. Sasmita Nanda, Advocate

-Versus-

State of Odisha & Ors. *Opposite Party (s)*
Mr. Bibekananda Nayak, AGA
Ms. Nibedita Barik,
Advocate for O.P No.2

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

10.07.2026

Order No.

02.

1. This matter is taken up through hybrid arrangement.
2. The Petitioner has filed this CRLMC with a prayer to quash the FIR as well as entire proceeding vide Boudh P.S. Case No.66 of 2024, corresponding to C.T. Case No.72 of 2024 pending in the court of learned JMFC, Boudh against the Opposite Party No.2.
3. Learned counsel for both the parties submits that the matter has been amicably settled between the parties through Mediation vide dated 10.04.2026, wherein the mediation became successful. The contents of the mediation report are extracted hereinbelow: -

“xxx

xxx

xxx

*After discussion both the parties are
agreed to settle the matter amicably before*

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the Mediation Center and do want to proceed in this case any further.

Hence, the mediation is successful between the parties”.

4. Having bestowed a thoughtful consideration upon the mediation report jointly filed by the Petitioner and the Opposite Party No.2/Complainant, this Court finds that the underlying dispute between the parties has been amicably and voluntarily resolved, leaving no subsisting grievance that would justify the continuation of the criminal prosecution. The jurisprudential basis for the exercise of inherent jurisdiction of this Court in such circumstances is now well-settled. The Supreme Court in *Gian Singh v. State of Punjab*¹ authoritatively held that the High Court, while exercising its inherent powers under Section 482 of the Code of Criminal Procedure, may quash criminal proceedings where the dispute is essentially private or personal in nature and the parties have arrived at a genuine and voluntary settlement, provided that such exercise of power advances the ends of justice and prevents abuse of the process of the Court.

5. The said principle proceeds on the broader jurisprudential understanding that criminal law, though primarily concerned with the protection of public order and societal interests, ought

¹¹ (2012) 10 SCC 303





not to be invoked as an instrument to perpetuate litigation where the foundational dispute itself has been extinguished through a bona fide settlement between the parties. In appropriate cases, therefore, the inherent power of the High Court operates as a constitutional safety valve to ensure that the criminal process does not degenerate into a mechanical continuation of proceedings devoid of any meaningful prosecutorial purpose.

6. This Court has consistently adopted the aforesaid approach in its decisions in *Lokanath @ Anadi Sethi and four others v. State of Orissa*² and *four others* and *Sansuri alias Khageswar Lenka and another v. State of Orissa and Another*³, wherein it has been reiterated that once the parties have amicably settled their differences and the dispute does not implicate overriding public interest, the continuance of criminal proceedings would merely amount to an unnecessary prolongation of litigation and an abuse of the process of law.

7. Tested on the touchstone of the aforesaid settled principles, this Court is of the considered opinion that the present case squarely falls within the category of matters where the continuance of the criminal proceeding would serve no meaningful juridical purpose. Rather, it would only perpetuate

² 2014 (II) OLR 29

³ 2014 (II) OLR 452

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avoidable litigation between parties who have already resolved their differences. In such circumstances, the criminal process must yield to the higher objective of securing the ends of justice, for the law does not compel courts to sustain prosecutions that have become sterile, purposeless, and oppressive in their continuation.

8. In view of the aforesaid discussion and considerations, the application is allowed. Consequently, the criminal proceeding against the Opposite Party No.2 vide Boudh P.S. Case No.66 of 2024, corresponding to C.T. Case No.72 of 2024 pending in the court of learned JMFC, Boudh is hereby quashed.

9. This CRLMC is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali

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