



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2161 of 2024

Debasis Patri

.....

Petitioner

Represented By Adv. –
Mr. Debi Prasad Dhal,
Senior Advocate along
with Mr. B.S. Dasparida,
Advocate

-versus-

1) State of Odisha

.....

Opposite Parties

***2) Jiban @ Jeevan Jyoti
Mohanty***

Represented By Adv. –

Mr. U.C. Jena, ASC

Mr. Binaya Prasad
Mohanty, Advocate for
O.P. No.2

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

21.07.2025

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard the learned counsel for the Petitioner as well as learned counsel for the State. Perused the application as well as the documents annexed thereto.
 3. By filing a present writ petition, the Petitioner has invoked the inherent jurisdiction of this Court under Section 482 of Cr.P.C. thereby challenging the impugned order of cognizance dated 07.10.2023 passed by the learned J.M.F.C. (Cog.II), Puri in G.R. Case No.393 of 2023 and has made a further prayer to quash the



entire criminal proceeding, arising out of the aforesaid G.R. Case.

4. Learned counsel for the Petitioner, at the outset, contended that as agreed by the learned counsel for the parties, the matter was referred to District Mediation Centre, Puri by virtue of order dated 17.04.2025 passed by a coordinate Bench of this Court in CRLMC No.326 of 2025. Learned counsel for the Petitioner further submitted that the learned Mediator has submitted a report in the meantime.

5. On Perusal of the copy of the report of the Mediator dated 25.04.2025, it appears that the matter has been settled amicably between both sides. Moreover, on a careful examination of the allegation made, it appears that the present criminal case was initiated at the instance of Informant for alleged commission of offences punishable under Sections 341/294/323/506/34 of I.P.C. However, vide order dated 07.10.2023, cognizance has been taken under Sections 341/294/323/506/34 of the I.P.C. In such view of the matter, learned counsel for the Petitioner contended that the order taking cognizance as well as entire proceeding be quashed taking into consideration the Mediation Report submitted by the District Mediation Centre.

6. Learned counsel for the State, on the other hand, contended that although he has no specific instruction in the matter, however, this Court may pass necessary order taking into consideration the Mediation Report submitted by the District Mediation Centre, Puri and he will have no objection to the same.

7. Having heard the learned counsels appearing for the respective parties and on a careful examination of the materials on record as well as the background facts of the present case, further upon a consideration of the Mediation Report dated 25.04.2025, this Court is



of the view that the offence under Section 294 of I.P.C. is not compoundable. Accordingly, the same is hereby quashed.

8. Further, keeping in view the fact that the matter has been amicably settled between the parties, Petitioner and the Opposite Party No.2 are given liberty to move the trial court by filing an application under Section 320 of Cr.P.C. within four weeks from today. In such eventuality, trial court shall pass necessary order on such application keeping in view the report of the Mediator after providing an opportunity of hearing to both the sides within a period of two months from the date of filing such application.

9. With the aforesaid observation and direction, the CRLMC stands disposed of.

(Aditya Kumar Mohapatra)
Judge

Debasis

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 23-Jul-2025 19:50:34

