



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2047 of 2026

Mamata Swain

....

Petitioner(s)

Ms. Sasmita Nanda, Adv.

-versus-

State of Odisha & Anr.

....

Opposite Party(s)

Mr. Tej Kumar, ASC

Mr. Bikash Chandra Parija, Adv. (for O.P. No.2)

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

ORDER

Order No.

03.07.2026

01.

1. This matter is taken up through hybrid arrangement.
2. By filing the present CRLMC, the Petitioner has prayed for quashing of the F.I.R. registered in Boudh P.S. Case No.104 of 2017, corresponding to C.T. Case No.225 of 2017, pending in the Court of the learned S.D.J.M., Boudh, along with the entire criminal proceeding arising therefrom against Opposite Party No.2.
3. Heard learned counsel for the Petitioner, learned Additional Standing Counsel for the State and learned counsel for Opposite Party No.2.
4. Learned counsel for the Petitioner submits that the present CRLMC arises out of a matrimonial dispute



between the Petitioner and Opposite Party No.2. During pendency of the criminal proceeding, the parties were referred to the Mediation Centre, Boudh, where they amicably resolved all their disputes. In support of such settlement, learned counsel has placed on record the Settlement Report dated 30.05.2026, annexed as Annexure-3 to the present petition.

5. It is further submitted that the Petitioner (informant) and Opposite Party No.2, being wife and husband, have resumed their matrimonial relationship pursuant to the settlement and are presently residing together under one roof and leading a peaceful conjugal life. In view of the settlement, neither party intends to pursue the criminal proceeding.

6. Learned counsel for the Petitioner further submits that the Petitioner has voluntarily approached this Court seeking quashing of the F.I.R. and the consequential criminal proceeding without any coercion, undue influence or pressure, as the disputes have been amicably settled before the Mediation Centre, Boudh. Hence, she prayed that the F.I.R. and the entire criminal proceeding initiated against Opposite Party No.2 be quashed in exercise of the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.



7. Learned Additional Standing Counsel for the State submits that in view of the compromise arrived at between the parties and considering the nature of the dispute, the State has no serious objection if the criminal proceeding is quashed.

8. Considering the submissions advanced by the learned counsel for the parties and upon perusal of the Settlement Report dated 30.05.2026, it appears that the dispute between the parties is purely matrimonial in nature and has been amicably resolved through mediation. The parties have resumed cohabitation and are presently living together as husband and wife. Continuation of the criminal proceeding, in such circumstances, would serve no useful purpose and is likely to disturb the restored matrimonial harmony.

9. In the facts of the present case, the dispute being matrimonial in nature, the settlement having been voluntarily arrived at before the Mediation Centre and the parties having resumed their matrimonial life, this Court is satisfied that continuation of the criminal proceeding would be an abuse of the process of law and that quashing of the proceeding would secure the ends of justice.

10. Accordingly, the CRLMC stands allowed.

11. The F.I.R. registered in Boudh P.S. Case No.104 of 2017, corresponding to C.T. Case No.225 of 2017, pending



before the learned S.D.J.M., Boudh, along with all consequential criminal proceedings arising therefrom against Opposite Party No.2 (Kapil Swain @ Kapil Ku. Swain), is hereby quashed.

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

13. Issue urgent certified copy of this order as per Rules.

(Dr. Sanjeeb K Panigrahi)
Judge