



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.3523 of 2025

1) Om Prakash Mahanand

.....

Petitioners

2) Hemanta Panigrahi

Represented By Adv. -

3) Ranjit Nag

Suryakanta Dwibedi

-versus-

1) State Of Odisha

.....

Opposite Parties

2) Malaya Kumar Sahu

Represented By Adv. -

3) Binod Majhi

Santanu Kumar Behera

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

ORDER

Order No.

25.09.2025

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as learned counsel for the informant and learned counsel for the State. Perused the application as well as the prayer made therein.
3. The present application has been filed at the instance of the accused-petitioners thereby invoking the inherent jurisdiction of this Court under Section 528 of B.N.S.S. with a prayer to quash the entire criminal proceeding in C.T. Case No.211 of 2024 in corresponds to Koksara P.S. Case No.203 of 2024 now pending in the file of learned J.M.F.C., Koksara on the ground that the dispute has been amicably resolved.
4. Learned counsel for the Petitioners at the outset contended that the Opposite Party No-2-Informant Koksara P.S. Case No.203 of



2024 was registered for alleged commission of offence punishable under Sections 124(1)/ 303(2)/ 331(5)/ 324(4)/ 351(2)/ 3(5) of the B.N.S. Learned counsel for the Petitioners at the outset contended that the F.I.R. has been registered as a result of which the dispute between the petitioners and the informant. He further submitted that in the meantime the matter has been amicably resolved and that the both sides are living in the locality peacefully. He further contended that the Opposite party No.3 has not sustained any external injuries. In the aforesaid context, learned counsel for the Petitioners referred to the injury report at Annexure-2 to the application which clearly follows that the medical office has conducted the examination of injured that no external injuries present. In view of the aforesaid fact, learned counsel for the Petitioners contended that the present criminal proceeding has been filed for quashing the F.I.R. as well as G.R. Case corresponding to the aforesaid F.I.R.

5. Learned counsel for the informant on the other hand supported the contention of learned counsel for the Petitioners referred to joint affidavit filed by the Opposite Party Nos.2 and 3 i.e. informant and injured respectively. By referring to the said affidavit learned counsel for the Opposite Party Nos.2 and 3 contended that with the intervention of local gentries and well-wishers of both sides the dispute has been amicably resolved and that at the moment the Opposite Party Nos.2 and 3 do not want to proceed further in the pending criminal proceeding in C.T. Case No.211 of 2024. He further contended that the Opposite party Nos.2 and 3 will have no objection in the event the entire criminal proceeding is quashed.

6. Learned counsel for the State on the basis of the instruction from the IIC of the Koksara P.S. vide letter dated 22.09.2025 stated



before this Court that the IIC has verified the aforesaid fact from the locality. Upon contact with the informant as well as the injured and on such inquiry, he found that the matter has been amicably settled between both sides despite the aforesaid dispute. Learned counsel for the State contended that most of the offences are compoundable in nature except the one under Section 124 (1) of B.N.S. Accordingly, learned counsel for the State contended that the Petitioner should have approached the learned trial court by filing the application for compounding the offences. Instead of approaching this Court by filing the present application. On such ground, learned counsel for the State contended that the present application is devoid of merit and is liable to be dismissed.

7. Having heard the learned counsels for the respective parties, on a careful examination of the background facts as well as on such subsequent developments, further taking note of the affidavit of the Opposite Party Nos.2 and 3 and further taking note of reports of the IIC Koksara P.S. dated 22.09.2025, this Court is of the view that the matter has been amicably settled between both sides that the Opposite party Nos.2 and 3 do not want to proceed further in this case. It also appears that the Opposite party No.3 has not sustained any grievous injury. On a careful examination of the offences alleged, this Court found that most of the offences are compoundable in nature except under Section 124(1) of B.N.S. In view of the aforesaid position, this Court is inclined to exercise its inherent power to quash the offence under Section 124(1) of the B.N.S. Accordingly, the same is hereby quashed. So far as the other offences are concerned, liberty is granted to the petitioners and the Opposite Party Nos.2 and 3 to move an application before the learned trial



court under Section 359 of the B.N.S. for compounding of the offence within three weeks from today. In such eventuality, learned trial court shall pass necessary orders taking into consideration the aforesaid observations and the affidavits filed by the parties, within a period of four weeks from the date the Petitioners approach the learned trial court along with a copy of today's order.

8. With the aforesaid observations and directions, the CRLMC stands disposed of.

(A.K. Mohapatra)

Judge

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