



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3926 of 2024

1. *Saroj Kumar Sethy*
2. *Soumya Ranjan Sethi*
3. *Rabindra Harichandan*
4. *Kandu @ Sangram Keshari*
Harichandan
5. *Upendra Badajena*
6. *Milu Badajena @ Shyama*
Bandhu Badajena
7. *Purusottam Badajena*

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Petitioners

Mr. Shibesh Bohra, Advocate
on behalf of Mr. Kalpataru Khuntia, Advocate
-versus-

1. *State of Odisha*
2. *Bidulata Behera*

.....

Opposite Parties

Mr. U.R. Jena, AGA
Mr. Debasis Sahoo, Advocate

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

24.04.2025

Order No.
05.

(Through hybrid Mode)

1. This application has been filed for quashing the criminal proceeding in T.R. Case No. 33 of 2020 in the court of learned 2nd Additional Distirct and Sessions Judge, Khurda which arises out of Jankia P.S. Case No. 137 of 2020 for commission of offences punishable under Sections 448, 323, 324 , 325, 307, 354 and 34 of IPC read with Section 3 (1) (i) / 3 (1) (r) / 3 (1) (s) and 3 (2) (v) of the SC and ST (Prevention of Atrocities) Act, 1989 (Amendment



2015) against the present petitioners.

2. Mr. Shibesh Bohra, learned counsel appearing on behalf of Mr. Kalpataru Khuntia, learned counsel for the petitioners submits that the petitioners and the informant are neighbours and relating to use of 40 feet road situated in between their houses there are about four litigations in between both the parties and due to intervention of local gentry and their well wishers, the matter has been settled and the informant does not want to proceed in the case and the joint affidavit of the petitioners and the opposite party no.2 and the complainant has been filed where it has been stated that the informant does not want to proceed with the case against the present petitioners. He also submits that in CRLMC No. 3923 of 2024, the prayer has been made for quashing the order of cognizance dated 23.11.2020 passed in G.R. Case No. 755 of 2020 by the learned JMFC (cog taking), Khurda which arises out of Jankia P.S. Case No. 132 of 2020 against the present petitioners which is in the list today.

3. Waiving notice, Mr. D.K. Raj and Mr. Debasis Sahoo, learned counsel have appeared in the case on behalf of the informant who is the opposite party no.2 in this case.

4. Copy of the joint affidavit may be served on Mr. U.R. Jena, learned Additional Government Advocate in course of the day in



order to enable him to obtain instructions regarding the veracity and genuineness of the joint affidavit and whether the parties have settled the matter among themselves voluntarily without any coercion and are now living peacefully in the village.

5. List this matter on 02.05.2025 along with CRLMC 3923 of 2024.

(Savitri Ratho)
Judge

puspa

Signature Not Verified

Digitally Signed
Signed by: PUSPANJALI MOHAPATRA
Reason: Authentication
Location: Orissa High Court
Date: 24-Apr-2025 19:28:12

