



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3923 of 2024

1. Saroj Kumar Sethy
2. Soumya Ranjan Sethi
3. Dhaneswar Jena
4. Santha Harichandan @ Samir Jagdeb
5. Rabindra Harichandan
6. Kandu @ Sangramme Keshari Harichandan

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Petitioners

Mr. Kalpataru Khuntia, Advocate

-versus-

1. State of Odisha
2. Bijay Behera

.....

Opposite Parties

Mr. U.R. Jena, AGA

Mr. Debasis Sahoo, Advocate

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. 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

02.05.2025

Order No.

06.

(Through hybrid Mode)

1. CRLMC No. 2923 of 2024 has been filed 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.

2. Perusal of the Annexure-1 in CRLMC No. 2923 of 2024 which is the copy of the order dated 23.11.2020 reveals that cognizance of offence punishable under Sections 448, 294, 323, 354, 379, 506 read with Section 34 of IPC has been taken against the petitioners.

3. CRLMC No. 3926 of 2024 has been filed for quashing the criminal proceeding in T.R. Case No. 33 of 2020 in the court of learned 2nd Additional District 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 petitioners.

4. Joint affidavits have been filed by the petitioners and the opposite party no.2-informant in both the CRLMCs, stating that the matters have been amicably settled between them on the intervention of villagers and local gentry and the parties are living peacefully and have no enmity with each other and the informants do not want to proceed against the petitioners and have no objection if the criminal proceeding against the petitioners are quashed.

5. Mr. U.R. Jena, learned Additional Government Advocate produced the instructions dated 02.05.2025 of the IIC Jankia P.S., Khordha in Jankia P.S. Case No. 132 of 2020 and Jankia P.S. Case No. 137 of 2020 where it is stated that he inquired about the credibility of the joint affidavit in the presence of village gentries and local Sarpanch and found it to be genuine and that the parties



are now living peacefully in the village and have settled the dispute. The instructions are taken on record.

6. In view of the amicable settlement between the parties and and in view of the decisions of the Hon'ble Supreme Court, the proceedings in G.R. Case No. 755 of 2020 by the learned JMFC (cog taking), Khurda arising out of Jankia P.S. Case No. 132 of 2020 and the proceedings in T.R. Case No. 33 of 2020 in the court of learned 2nd Additional District and Sessions Judge, Khurda which arises out of Jankia P.S. Case No. 137 of 2020 are quashed.

7. Judgment passed in separate sheets.

8. The order be communicated to the learned JMFC (cog taking), Khurda and learned 2nd Additional District and Sessions Judge, Khurda by the Registry forthwith.

(Savitri Ratho)
Judge

puspa

Signature Not Verified

Digitally Signed
Signed by: PUSPANJALI MOHAPATRA
Designation: Personal Assistant
Reason: Authentication
Location: Orissa High Court
Date: 07-May-2025 20:05:32

