



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No. 3717 of 2022

Smt. Binapani Mishra

....

Petitioner

Mr. Ansuman Ray, Advocate

-versus-

1. State of Odisha

2(a). Sanjukta Mishra

2(b). Bani Prasad Mishra

2(c). Surya Prasad Mishra

....

Opposite Parties

Mr. Saroj Kumar Rout,

Additional Standing Counsel

(For Opposite Party No.1)

Mr. Ramesh Chandra Behera, Advocate
(For Opposite Party Nos.2(a), 2(b) and 2(c))

CORAM:

THE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

25.03.2026

Order No.

08.

(Through hybrid mode)

1. This CRLMC has been filed by the Petitioner with a prayer to quash the impugned order dated 27.11.2019 passed by the learned SDJM, Puri in G.R. Case No.1415 of 2017, arising out of Baliapanda P.S. Case No.62 of 2017, taking cognizance for commission of offence under Sections 419 and 420 of the IPC.

2. The matter had been referred for mediation and was successful. But before the terms of agreement between the parties could be worked out, Opposite Party No.2 in the case, who was the informant in Baliapanda P.S. Case No.62 of 2017 Sri Sankarsan



Mishra expired and the amount of Rs.8 lakhs could not be handed over to him.

3. Paragraph-2 of the order of this Court passed on 23.04.2025 is extracted below:

“2. It is stated by counsel for the petitioner and the counsel for the Opposite Party No.2 that the matter had been sent to mediation and the mediation has succeeded for which the petitioner has come with a demand draft of Rs. 8 lakhs in the name of Opp. Party No.2. As per the report dated 28.03.2025 the petitioner is required to pay an amount of Rs. 8 lakhs to the Opp. Party No.2 (informant)-Sankarsan Mishra and after receiving the same amount the Opp. Party shall not make any further claim in connection with Baliapanda P.S. Case No. 62 of 2017 and shall file an affidavit to that effect and that receiving the full and final amount, the Opp. Party shall file his withdrawal petition memo in the cases which are pending before the learned SDJM, Puri. So they want to file affidavits/joint affidavit.”

4. The relevant paragraphs of I.A No.505 of 2026, filed by the Opposite Party Nos.2a, 2b and 2c, who are the legal heirs of late Sankarsana Mishra Opposite Party No.2, are extracted below:-

“3. That we the legal heirs of Sankarsan Mishra do hereby declare and affirm that we have no objection if the amount of Rs.8.00 lakhs (Rupees eight lakhs) only



in shape of demand draft deposited by the petitioner Binapani Mishra is handed over to wife Sanjukta Mishra of late Sankarsan Mishra, Opp.Party No.2 by this Honj.ble High Court of Odisha, Cuttack.

4. *That as per order dated 23.4.2025 of the Hon.ble High Court, Odisha we shall not make any further claim in connection with Baliapanda P.S.Case No.62 of 2017 and filed this I.A.petition to that effect that we have received the full and final amount from the Opp. Party No.2 Sankarsana Mishra and will withdraw the petition pending before the learned SDJM, Puri for closure of the case.*

5. *That the Bank Draft issued by Bandhan Bankpuri Branch for Rs.5.00 lakhs vide DD No.000061 dated 8.4.2025 and Demand Draft No.500385 of ICICI Bank, Puri Branch for Rs.3.00 lakhs dated 9.4.2025 have already been invalid and fresh Bank Drafts for Rs.8.00 lakhs may please be issued in favour of Sanjukta Mishra, wife of the Opp. Party No.2 as legal heirs.”*

5. Mr. Ansuman Ray, learned counsel for the Petitioner produces two Demand Drafts, bearing No.121630 dated 18th March, 2026 of Bandhan Bank for Rs.5 lakhs and No.500534 dated 18th March, 2026 drawn on ICICI Bank, Cuttack for Rs.3 lakhs, both drawn in favour of Sanjukta Mishra. Photocopies of the Demand Drafts are also filed in Court. Both the demand drafts are handed



over to Mr. Ramesh Chandra Behera, learned counsel for the Opposite Party Nos. 2(a), 2(b) and 2(c).

6. The demand drafts for Rs.8 lakhs are handed over to the learned counsel for the Opposite Parties Nos.2(a), 2(b) and 2(c) in Court today. In view of the settlement of the dispute and handing over of the agreed amount of Rs.8 lakhs vide demand drafts in the name of Smt. Sanjukta Mishra, the proceeding in Baliapanda P.S. Case No.62 of 2017, corresponding to G.R. Case No.1415 of 2017 pending in the file of the learned SDJM, Puri stand quashed.

7. Judgment is pronounced in separate sheets.

8. The CRLMC is accordingly allowed.

9. Copy of this order be communicated to learned SDJM, Puri forthwith by the Registry.

(Savitri Ratho)
Judge

RKS