



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 4554 of 2024

1. Sulochana Lenka
2. Jagabandhu Lenka

.....

Petitioners

Mr. P.K. Behera, Advocate

-versus-

1. State of Odisha
2. Mamata Lenka

.....

Opp. Parties

Ms. S. Moharana, ASC
(for O.P. No.1)

Mr. S. Swain, Advocate
(for O.P. No.2)

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

30.04.2025

Order No.

05.

(Through hybrid Mode)

1. This application has been filed for quashing the proceedings in G.R. Case No.132 of 2006 arising out of Salipur P.S. Case No.61(33) of 2006 pending in the Court of learned JMFC, Salipur for commission of offences punishable under sections 341,342,323,506,307/ 34 of IPC.

2. An affidavit has been filed by the Opposite Party No.2-informant stating that her husband - the injured and petitioner No.2 are brothers and due to civil dispute, relating to partition, there was a quarrel between the brothers on 28.02.2006 and on being instigated by some villagers, she had lodged the FIR. Thereafter, the matter has been settled between the parties. Her husband and she have no grievance against the petitioners and they do not want to proceed



with the case.

3. Ms. S. Moharana, learned Additional Standing Counsel produces the injury report of Minaketan Lenka, the injured (husband of the informant) which indicates that he has suffered a lacerated wound on his occipital region which has been opined to be simple in nature.

4. As the G.R. case was of the year 2006, a report had been called for from the learned JMFC, Salipur regarding present status of the case.

5. Perused the report dated 29.04.2025 of the learned JMFC Salipur, where it is stated as follows:-

“With reference to the letter and subject cited above, I am to intimate you that accused persons namely Jagabandhu Lenka and Sulochana Lenka had already filed a Criminal Revision no. 118/2007 in which the proceeding was stayed by Hon'ble Court since 09.02.2007 after taking cognizance on dated 06.11.2006 of the offence U/s. 341/342/323/506/307/34 of IPC the accused persons filed a petition U/s. 205 of Cr.P.C. which was rejected on 31.01.2007 by this Court and directed them to appear on 20.04.2007. On 20.04.2007 time petition filed by accused persons for their appearance and the same was rejected. NBW issued against them. On dated 20.11.2023 in obedience to the order of Hon'ble Supreme Court



in Misc. Application No. 1551/2020 arising out of Criminal Appeal no. 1375-1376 of 2013 the stay was vacated. Now the case is posted for appearance of accused persons to 20.06.2025.

This is for your information.”

6. It thus appears that the G.R. case is pending since almost twenty years and is now posted to 20.06.2025, for appearance of the accused persons.

7. In view of the amicable settlement between the parties who are related to each other, I am of the view that the chance of conviction of the petitioners in the said case is bleak. As the case is pending since 2006 without much progress, and as the parties have amicably settled the matter between themselves, I am of the view it would result in wastage of time and resources of the Court if the proceedings are allowed to continue. It would therefore be in the interest of justice to quash the proceedings in G.R. Case No.132 of 2006.

8. The proceedings in G.R. Case No.132 of 2006 arising out of Salipur P.S. Case No.61(33) of 2006 pending in the Court of learned J.M.F.C. Salipur against the petitioners are accordingly quashed.

9. The CRLMC is accordingly disposed of.

Signature Not Verified

Digitally Signed
Signed by: PRASANT KUMAR SAHOO
Designation: PERSONAL ASSISTANT
Reason: Authentication
Location: Orissa High Court
Date: 01-May-2025 20:03:32



**(Savitri Ratho)
Judge**

Prasant