

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4147 of 2011

***Premchand Suna @ Prema
Chandra Suna***

....

Petitioner

-versus-

State of Orissa

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

04.04.2022

**Order
No.**

05.

1. This matter is taken up through Hybrid mode.
2. The Petitioner has challenged the charge framed against him vide order dated 19.10.2011 passed by the learned Special Judge (Vigilance), Jeypore in G.R. Case No.36 of 2007 under Sections 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act and Section 120-B of the IPC on the ground that the Tahasildar, who had settled the land on the basis of the report of the present Petitioner, who was working as Revenue Inspector, having not been charge sheeted in this case, the Petitioner is also entitled to discharge.
3. However, learned counsel for the Vigilance submits that on the report of the present Petitioner, who was working as Revenue Inspector, the Tahasildar settled the Government land in favour of Chandan Bidika but subsequently it was found that he was not a

landless person as such he is entitled to the recommendation made by the present Petitioner in his favour as such charge sheet was submitted against him. However, the sanction having been refused against the Tahasildar, the same cannot be a ground to discharge the Petitioner.

4. Considering the aforesaid facts and the submissions made and there being sufficient materials indicating the involvement of the Petitioner, challenge to the charge framed against the Petitioner in this case on the ground stated is devoid of merit and accordingly, this Criminal Misc. Case stands dismissed.

5. This order be communicated to the trial court immediately.

(S. Pujahari)
Judge

PKS