

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3083 of 2015

Tikelal Sahu

Petitioner

Mr. D.R. Bhokta, Advocate

-Versus-

State of Odisha

.... **Opposite Party**

Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

Order
No.

ORDER
07.09.2022

09. 1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Present petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the order of cognizance dated 21st November, 2013 passed in G.R. Case No.70 of 2013 by the learned J.M.F.C., Saintala on the grounds stated therein.
3. Court's perused the FIR i.e. Annexure-1 and other connected documents including the copy of the charge sheet which is at Annexue-3.
4. The learned counsel for the petitioner submits that the petitioner is not directly connected to the alleged incident whereupon the FIR was lodged at Saintala P.S. Case No.70 of 2013 under Sections 468, 420, 379 and 120-B IPC and Section 7 of E.C. Act was registered. It is further submitted that despite his remote connection with the principal accused, the petitioner has been implicated and therefore, the criminal proceeding should be quashed which is objected to by the learned counsel for the State on

the ground that the statement of the witnesses revealed about his involvement and being responsible for the incident.

5. At this juncture, the learned counsel for the petitioner submits that the petitioner may be granted liberty to raise all the grounds at the time of framing of charge which is in connection with his identity and nature of involvement vis-à-vis the allegations made in the FIR.

6. In view of the above submission, CRLMC stands disposed of with a liberty to the petitioner to raise all the grounds before the learned court below at the time of framing of charge and on being so urged, the court concerned shall consider and pass appropriate order thereon in accordance with law.

7. An urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge

TUDU