

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.818 of 2007

Samir Kumar Mohanty.

....

Petitioner

-versus-

State of Odisha & another.

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

22.02.2022

Order No.

11.

1. This matter is taken up through Hybrid mode.

2. The petitioner in this application under Section 482 of the Code of Criminal Procedure (for short "Cr.P.C.") has prayed for quashing of the order of cognizance dated 11.07.2006 passed by the learned S.D.J.M., Athagarh in C.T. Case No.404 of 2005 taking cognizance of the offences under Sections 498-A, 294, 323, 354, 406 and 506/34 of IPC and Section 4 of the D.P. Act, so also the entire criminal prosecution.

3. No one appears for the petitioner at the time of call. Learned counsel for the opposite party no.2 is present. This case is of the year 2007 and near about one and half decades have already been passed from the date of filing of this case. As

such, the petitioner appears to be a recalcitrant litigant and has lost interest in the present litigation. Hence, this CRLMC stands dismissed for non-prosecution. Interim order dated 19.12.2007 passed by this Court stands vacated.

4. However, liberty is given to the petitioner to raise all such contentions at the time of framing of charge, if charge has not been framed in the meanwhile and in that event, the trial Court shall decide the same in its own merit.

5. A copy of this order be communicated to the Court below forthwith.

(S. Pujahari)
Judge

MRS

