

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.105 of 2022

Smt. Laxmilata Bisoi @ Laxmi Bisoi
and Others

..... ***Petitioners***

Mr. Bijaya Kumar Nayak-3, Advocate

-versus-

State of Odisha and Another

..... ***Opp. Parties***

Mr. K.K. Das, Additional Standing Counsel

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
6.4.2022

Order No.

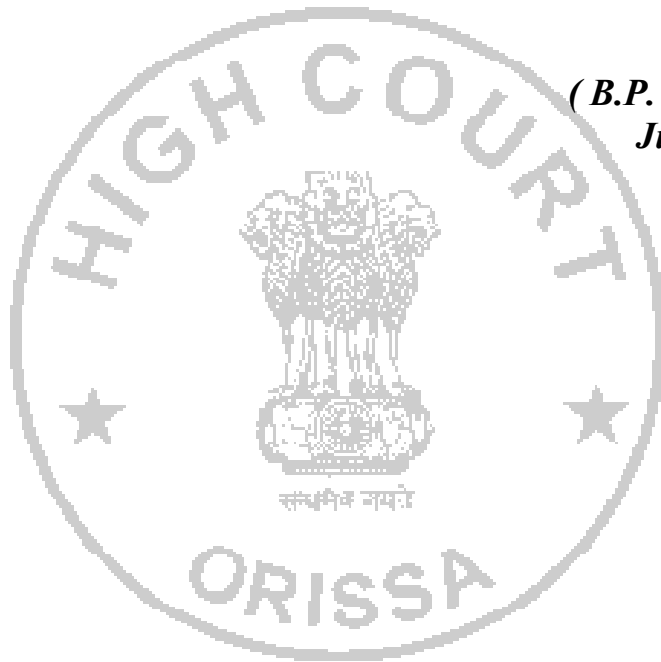
02. 1. Heard Mr. B.K. Nayak-3, learned counsel for the Petitioners and Mr. K.K. Das, learned Additional Standing Counsel for Opposite Party – State.
2. The present application is against order dated 4th October, 2021 of learned S.D.J.M., Nayagarh in G.R. Case No.650 of 2020 by which learned Magistrate has taken cognizance for the offence under Section 498(A)/341/354/307/494/34 I.P.C. along with other offences.
3. The challenge of the Petitioner is in two folds, i.e. (i) the cognizance for offence U/s.498(A) is barred by limitation and (ii) the nature of injuries being simple, the offence under Section 307 is not attracted.
4. Upon hearing Mr. Das, learned Additional Standing Counsel and considering the grounds of challenge, I am not convinced to entertain the prayer of the Petitioner for the reason that no limitation is prescribed for the offence under Section 307 I.P.C., which has most

severe punishment amongst all offences alleged in association with. Secondly, the nature of injury, whether simple or grievous, has no bearing on constitution of the offence under Section 307 IPC of which the Petitioners are under a misconception. Accordingly, I do not find any merit in the petition.

5. The CRLMC is dismissed.

6. An urgent certified copy of this order be issued as per rules.

M.K.Panda



(B.P. Routray)
Judge