

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPCRL No.13 of 2022

Santosh Kumar Behera

.....

Petitioner

Mr. Asit Kumar Chaudhury, Adv.

-Versus-

State of Odisha & Others

.....

Opp. Parties

Mr. S.S. Kanungo, AGA

CORAM:

**JUSTICE S. TALAPATRA
JUSTICE B.P. ROUTRAY**

**ORDER
08.07.2022**

Order No.

06.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Mr. S.S. Kanungo, learned Addl. Government Advocate appearing for the State has produced the written instruction dated 07.07.2022. It appears from the said written instruction that Smti. Chumuki Behera, wife of the petitioner, who had left the house of the petitioner on 27.12.2021, has been rescued from U.P.
3. She has been brought to Cuttack on 07.07.2022 at 08.30 P.M.
4. Her statement under Section 164 of the Cr.P.C is yet to be recorded.
5. Mr. S.S. Kanungo, learned Addl. Government Advocate has submitted the victim or the missing person will be produced in the competent Court, for recording her statement under Section 164 of the Cr.P.C today.

6. But, significantly it has been noted in the said written instruction from the statement as recorded under Section 161 of the Cr.P.C. It would appear that she has denied that anyone had abducted her and taken her away, without her consent.

7. Let her statement, under Section 164 of the Cr.P.C. has recorded, as we understand that is necessary on the interest of investigation.

8. In view of the above development, we do not find any reason to keep this proceeding alive, and accordingly, this proceeding stands closed and disposed of.

9. Mr. A.K. Chaudhury, learned counsel appears for the petitioner.

(S. Talapatra)
Judge

(B.P.Routray)
Judge

Rati Ranjan





