

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2035 of 2011

Prasanna Kumar Sahoo

....

Petitioner

Mr. B.P. Pradhan, Advocate

-Versus-

Sanjay Kumar Tripathy and another

....

Opposite Parties

CORAM:

JUSTICE R.K. PATTANAIK

ORDER

08.04.2022

Order No.

09.

1. Heard learned counsel for the petitioner.
2. This application under Section 482 Cr.P.C. is filed by the petitioner challenging the impugned order dated 3rd June 2011 passed in Criminal Revision No.1/66 of 2011/2010 by the court of learned Adhoc Additional Sessions Judge (FTC), Bhubaneswar, who directed release of a laptop in the custody of one of the parties.
3. Learned counsel for the petitioner submits that said order of the learned court below has been challenged since because the seized laptop was released not in terms of Section 457 Cr.P.C. which is to the effect that the same has to be placed in the custody of the person from whose possession, it was seized.
4. Learned counsel for the State, on the other hand, submits that at the time of release of the laptop, adequate safeguards have been put in place, such as, it shall not be disposed of by the person in custody in favour of a third party during pendency of trial; and to keep it in working condition and produce the same as and when

required by the court and that apart, at this distant point of time, the revisional order should not be disturbed.

5. However, the learned counsel for the petitioner expressed having no information on the status of the case whether to be pending before the court below.

6. Considering the above facts and submissions made and having regard to the fact that the impugned order as at Annexure-6 is with regard to release of a laptop subject to conditions and adequate safeguards, the Court is of the considered view that there is no need of any interference with regard to the impugned order dated 3rd June, 2011. The Court is also of the view that since conditions are in place, the interest of the petitioner stands well protected. For the above reasons, the impugned order at Annexure-6 needs no interference and accordingly, it is ordered.

7. In the result, the CRLMC stands dismissed.

(R.K. Pattanaik)
Judge