

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1413 of 2012

Premananda Pasupalak and ***Petitioners***
another

-versus-

State of Orissa ***Opposite Party***

CORAM: JUSTICE S. PUJAHARI

ORDER

24.06.2022

Order

No.

04.

1. This matter is taken up through hybrid mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioners with a prayer to quash the order of dated 27th May, 2004 passed by the learned S.D.J.M., Hinjilicut in 2(b)C.C. No.1 of 2000, taking cognizance of the offence under Section 56 of Orissa Forest Act, 1972 and Rule-21 of O.T.T. Rules, 1980 and issuing process as well as non-bailable warrant of arrest against them.
3. Heard the learned counsel for the Petitioners and the learned counsel for the State.

4. As it appears, in this case the Petitioners have prosecuted in the aforesaid case and as the final P.R. has not been filed by the prosecution and limitation period has expired, the court drop the proceeding against the Petitioners. But, subsequently a P.R. having been filed by the prosecution, the court condoning the delay took cognizance of the same. It amounts to review of its own order. The trial court has no jurisdiction to do the same. Therefore, the impugned order of taking cognizance condoning the delay being without jurisdiction, the same stands quashed.

6. With the aforesaid order, this Criminal Misc. Case stands disposed of.

(S. Pujahari)
Judge

DA