

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4290 of 2011

Sashiprava Munda.

....

Petitioner

-versus-

State of Odisha & others.

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER
14.03.2022

Order No.

12.

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 dated 17.09.2011 passed by the learned J.M.F.C., Jajpur Road in Criminal Misc. Case No.74 of 2011 rejecting her petition under Section 457 of Cr.P.C. to release an amount of Rs.24,68,000/- seized in connection with Kalinga Nagar P.S. Case No.62 of 2010, in her favour on the ground that the same is perishable in nature which was freezed in connection with G.R. Case No.635 of 2010.
3. Heard the learned counsel for the petitioner and the learned counsel for the State.

4. Considering the facts and circumstances of the case, so also the submission advanced on behalf of the learned counsel for the petitioner, this Court is not inclined to interfere with the impugned order.

5. However, since in the meanwhile charge-sheet is stated to have been filed, giving liberty to the petitioner to make a fresh prayer before the Court below if the case is pending and the amount deposited in the Bank has been freezed indicating her entitlement, this CRLMC stands disposed of being dismissed.

6. Needless to say that if the amount has not been freezed, the petitioner if so entitled the aforesaid amount, he may make an appropriate application before the authority concerned entitled to grant her such exgratia payment and in that event, the same shall be disposed of in accordance with law.

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

(S. Pujahari)
Judge

MRS