

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2786 of 2012

Biranchi Manohar Swain & others. Petitioners

-versus-

State of Odisha & another. Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

30.03.2022

Order No.

- 04.
1. This matter is taken up through Hybrid mode.
 2. The petitioners in this application under Section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”) have prayed for quashing of the criminal proceeding in I.C.C. No.123 of 2012 pending on the file of the learned S.D.J.M., Kendrapara against them.
 3. Heard the learned counsel for the petitioner and the learned counsel for the State. None appears for the opposite party no.2.
 4. Considering the facts and submissions made, this Court is not inclined to quash the aforesaid proceeding. Interim order dated 28.09.2012 passed by this Court stands vacated.

5. However, considering the fact that it is a case under Section 323 of IPC, cognizance of which has already been taken, the trial Court shall do well to dispose of the aforesaid proceeding within three months from the date of receipt / production of the certified copy of this order. It is made clear that if the complainant does not cooperate with the disposal of the aforesaid proceeding, the trial Court shall pass necessary order in accordance with law.

6. With the aforesaid order, this CRLMC stands disposed of.

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

(S. Pujahari)
Judge

MRS