

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.188 of 2022

Jhillibala Panda

....

Petitioner

Mr. P.K.Behera,
Advocate

-versus-

State of Odisha & others

....

Opp. Parties

Mr. Sk. Zafarulla
Additional Standing Counsel

CORAM:

JUSTICE BISWAJIT MOHANTY

ORDER

18.04.2022

Order No.

- 04.
1. Heard Mr. Behera, learned counsel for the petitioner and Mr. Zafarulla, learned Additional Standing Counsel through video conferencing mode.
 2. According to Mr. Behera, after lodging of Odagaon P.S. Case No. 129 dated 23.11.2021 registered for commission of offences under Sections 420, 506 & 294 I.P.C., the petitioner and his family members are living under constant threat from the accused persons. Therefore, he prays that the opposite parties be directed to give the petitioner and his family members' adequate protection.
 3. Mr.Zafarulla, learned Addl. Standing Counsel submits that for getting protection the petitioner should approach the "Competent Authority" as constituted under the "Witness Protection Scheme, 2019" notified by the Government of Odisha vide Extra-ordinary Gazette Notification No. 1164 dated 6.7.2019 in tune with the judgment of the Supreme Court in the case of ***Mahender Chawla & others v. Union of India and others*** reported in ***(2019) (I) OLR (SC) 126***. According to him,

since the petitioner is the informant, he being a star witness in case of a future trial, he can seek protection under the above noted Scheme by filing appropriate application in the prescribed form before the “Competent Authority” consisting of the learned District & Sessions Judge as Chairman, head of the Police in the district as member and head of prosecution in the district as its Member Secretary. He also submits that the said scheme provides different types of protection measures under Clause-7.

4. In such background, learned counsel for the petitioner submits that liberty may be granted to the petitioner to approach the “Competent Authority” under the “Witness Protection Scheme, 2019” for the purpose of getting protection.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to approach the “Competent Authority” under “Witness Protection Scheme, 2019” in an appropriate manner. It is made clear that in the event such a motion is made, the “Competent Authority” is directed to take a decision on such motion in tune with the above noted Scheme as expeditiously as possible.

6. Accordingly, this CRLMP is disposed of.

7. Urgent certified copy of the order be granted on proper application.

Kishore

(Biswajit Mohanty)
Judge