

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.388 of 2022

Jhunupriya Nayak

....

Petitioner

Mr.J.K.Chhotaray, Advocate

-versus-

State of Odisha and another

....

Opp.Parties

Mr.K.K.Das, ASC

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
12.5.2022**

Order No.

1.

1. The Petitioner is directed to remove the defects in Court today.

2. Heard Mr.Chhotaray, learned counsel for the Petitioner and Mr.Das, learned Additional Standing Counsel for the State.

3. The present Petitioner is the informant who alleged commission of offence against her in-laws members for commission of offences under Sections 498-A/294/379/323/506/34 of the I.P.C.

4. Upon completion of investigation, police submitted the charge-sheet against the husband only leaving other in-laws members. This was not protested by the informant. Subsequently after examination of all the witnesses including the I.O., the informant through her lawyer filed a petition to add seven other in-laws members as accused persons under the provisions of

Section 319 Cr.P.C. The learned trial court upon thorough examination of evidences of those witnesses including the victim and the I.O. has rejected the prayer of the informant. This is the subject matter of challenge in the present petition before this Court.

5. Upon hearing learned counsel for the Petitioner as well as Additional Standing Counsel for the State and going through the evidence of P.W.4 (Informant), P.W.15(Investigating Officer) as well as the statement of all such witnesses made in course of their deposition before the trial court, no infirmity is seen in the approach of the learned trial court in rejecting the prayer of the Petitioner.

6. It appears that the informant has tried to develop her statement before the learned trial court though the same were not stated before the police during her examination under Section 161 Cr.P.C. Upon thorough scrutiny of such evidences of all those witnesses, no merit is seen in the prayer to add other in-laws members as accused persons by operation of Section 319 Cr.P.C.

7. In the result, the CRLMC is dismissed.

(B.P. Routray)
Judge