

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.279 of 2022

Urmila Bala

....

Petitioner

*Mr. N. Nayak,
Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. Sk. Zafarulla,
Additional Standing Counsel*

**CORAM:
JUSTICE BISWAJIT MOHANTY**

**ORDER
16.03.2022**

Order No.

03.

1. This matter is taken up through video conferencing mode.
2. Heard Mr. N. Nayak, learned counsel for the petitioner and Mr. Zafarulla, learned Additional Standing Counsel.
3. According to Mr. Nayak, the grievance of the petitioner in this case relates to the manner in which the investigation is being conducted by the present I.O. in connection with Paradeep P.S. Case No.295 of 2021 registered for commission of offences under Sections 420/323/341/294/354/506/427 I.P.C. Accordingly, he wants the Investigating Officer to be changed.
4. Mr. Zafarulla relying on the decisions of the Supreme Court in the case of **Sudhir Bhaskar Rao Tambe v. Hemant Yashwant Dhage and others** reported in (2016) 6 SCC 277 submits that instead of approaching the jurisdictional Court under Section 156(3), Cr.P.C., for the said purpose, the petitioner has unnecessarily rushed to this Court.
5. In such background, Mr. Nayak submits that liberty may be granted to the petitioner to approach the learned

Prasant

jurisdictional Court.

6. 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 jurisdictional Court by filing appropriate application duly supported by an affidavit within a period of two weeks. In the event, such an application is filed, the jurisdictional Court will do well to proceed with the same in accordance with law, if there is no other impediment.

7. Accordingly, this CRLMP is disposed of.

8. Urgent certified copy of this order be granted on proper application.



(Biswajit Mohanty)
Judge