

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.87 of 2022

Sandip Kumar Sahoo

....

Petitioner

Mr. Debasis Panigrahi, Sr. Advocate
-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Nayak, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.03.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioner as well as learned counsel for the State.

3. The present application has been filed by the petitioner challenging the order dated 09.11.2021 under Annexure-4 passed by the learned J.M.F.C. Motu at MV-79 thereby rejecting the said application under Section 239 of the Cr.P.C.

4. In course of hearing, learned counsel for the petitioner submits that the petitioner had earlier approached this Court by filing CRLMP petition bearing No.685 of 2021 wherein by order dated 30.07.2021 this Court directed the court below to make all endeavours to expedite the trial and conclude the same preferably within a period of six months from the date of production of certified copy of the order

dated 30.07.2021.

5. It is further submitted by learned counsel for the petitioner that despite direction of this Court, three to four witnesses have been examined by the trial court in the meantime. He further submits that in the event a further direction be given to the trial court to complete the trial within a period of two months, that will suffice the purpose.

6. Learned counsel for the State submits that due to COVID-19 Pandemic, trial has not been expedited and further a direction be given to the trial court to expedite the trial.

7. It is further submitted by learned counsel for the petitioner that by order dated 30.07.2021 this Court directed the learned J.M.F.C., Motu to make all endeavours to split up the case and complete the trial in accordance with law so far as the petitioner is concerned preferably within a period of six months from the date of receipt of copy of this order. Further, learned counsel for the petitioner submits that the case has not been split up as of now and the proceeding of the trial has not been expedited.

8. In such view of the matter, learned trial court shall make all endeavours to split up the case and expedite the trial, learned J.M.F.C., Motu is directed to consider as to whether the case is required to be split up for expeditious trial, if necessary, he may split up the trial and proceed in accordance with law.

9. Considering the aforesaid submissions, this Court in the interest of justice dispose of the criminal revision petition directing the court below to take immediate and prompt steps to conclude the trial within a period of two months from the date of production of

certified copy of this order.

10. With the aforesaid observation, the CRLREV stands disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu

