

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP (Crl.) No.10 of 2022

Jayanta Kumar Sen

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM:

THE JUSTICE S.PUJAHARI

ORDER

26.04.2022

Order

No.

01. 1. This matter is taken up through Hybrid mode.
2. This petition has been filed by the Petitioner to transfer C.T. Case No.98 of 2015 from the court of learned S.D.J.M., Bargarh to the court of S.D.J.M., Bhubaneswar.
3. Heard learned counsel for the parties.
4. Learned counsel for the Petitioner submits that the aforesaid case has been instituted at the instance of the F.C.I and since all the witnesses are official witnesses and residing outside Bargarh, the Petitioner apprehends threat to his life and limb from the side of the informant but the informant being a public sector undertaking such apprehension of the Petitioner is without any substance. So also the ground on which the aforesaid case has been sought for transfer, is no ground inasmuch as none of the witnesses have expressed their

inconvenience in deposing the case. Though the Petitioner is a senior citizen and has been terminated from service and he has sought for transfer of the aforesaid case from Bargarh to Bhubaneswar also but the same would cause further delay in disposal of the case.

5. Therefore, this Court taking note of the same is not inclined to transfer the aforesaid case from Bargarh to Bhubaneswar but as it is stated that the Petitioner is a senior citizen and he has already been released on bail, the court concerned while proceeding with the trial of the case, if the Petitioner files a petition under Section 317 Cr.P.C. to dispense with his personal appearance, the court shall view the same liberally and allow personal appearance dispensed with subject to such terms and conditions as it may deem just and proper in the facts and circumstances of the case.

6. With the aforesaid order, this TRP (Crl.) stands disposed of.

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

(S. Pujahari)
Judge