

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.530 of 2022

***Sanjam Kumar Samal @ Sanjam
Samal***

.... ***Petitioner***

Mr. A.K. Sahoo, Advocate

-versus-

Prasanta Kumar Sahoo

.... ***Opp. Party***

CORAM:

SHRI JUSTICE B. P. ROUTRAY

**ORDER
31.3.2022**

Order No.

- 01.
1. Mr. A.K. Sahoo, learned counsel for the Petitioner undertakes to remove the defects within three working days.
 2. Heard Mr. Sahoo, learned counsel for the Petitioner.
 3. The sole grievance of the Petitioner is to tag I.C.C. No.126 of 2016 with G.R. Case No.520 of 2016 as the same are pending before the same court and arises out of same cause of action.
 4. The prayer of the Petitioner has been rejected by the impugned order dated 16th November, 2021 under Annexure-6.
 5. It appears from the petition and annexure that both G.R. No.520 of 2016 and I.C.C. No.126 of 2016 are arising out of the complaint given by the wife and husband respectively on the allegation that the accused – Petitioner took rupees 9 lakh from them. The cause of action for both the cases appear to be same though two different cases for different offences have been registered, where the GR case is for

offence under Section 420 I.P.C. and the complaint case is under 138 of NI Act.

6. Keeping in view the limited grievance of the Petitioner, the CRLMC is disposed of at the stage of admission directing learned J.M.F.C., Jajpur Road to tag both G.R. Case No.520 of 2016 and I.C.C. No.126 of 2016 together for the purpose of trial.

7. Since this order has been passed in absence of the Opposite Party, it is open for the complainant – Opposite Party to seek for modification of this order in case any prejudice is caused to him.

M.K.Panda



(B.P. Routray)
Judge