

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.85 of 2016

Trailokya Nath Malik

....

Petitioner

None

Versus

State of Odisha (Vigilance)

....

Opposite Party

*Mr. P.K.Pani, ASC,
Vigilance*

CORAM:

JUSTICE SAVITRI RATHO

ORDER

28.10.2022

(Through hybrid mode)

Order No.

03.

1. This matter had been called in the first hour and was passed over as the learned counsel for the petitioner was absent. When it is called in the second hour, i.e., after recess, none appears on behalf of the petitioner.

2. This application under Section 482 of Cr.P.C. has been filed by the petitioner for quashing the criminal proceeding vide order dated 5.11.2015 in T.C. Case No.139 of 2013 arising out of VGR No.5 of 2012 against the petitioner for commission of offences under Sections 13 (2) read with Section 13 (1) (d)/7 of the Prevention of Corruption Act and Section 7 of the Prevention of Corruption Act, now pending in the Court of learned Special Judge, Vigilance, Baripada. The order dated 5.11.2015 has been annexed to the CRLMC application as Annexure-2, which is an order rejecting the application filed under

Section 227 of Cr.P.C. read with Section 239 Cr.P.C. on behalf of the petitioner.

3. This CRLMC application has been filed on 8.1.2016 and had been listed on 18.7.2016, on which date, the matter has been adjourned for two weeks. Thereafter, the matter has not been listed and six years have elapsed since then. Trial must have begun in the meanwhile.

4. The CRLMC is therefore dismissed for non-prosecution.

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

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(Savitri Ratho)
Judge

Bichi

