

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1819 of 2015

Samir @ Sameer Kumar Agrawal

....

Petitioner

Mr. A. Dash, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

29.07.2022

Order
No.

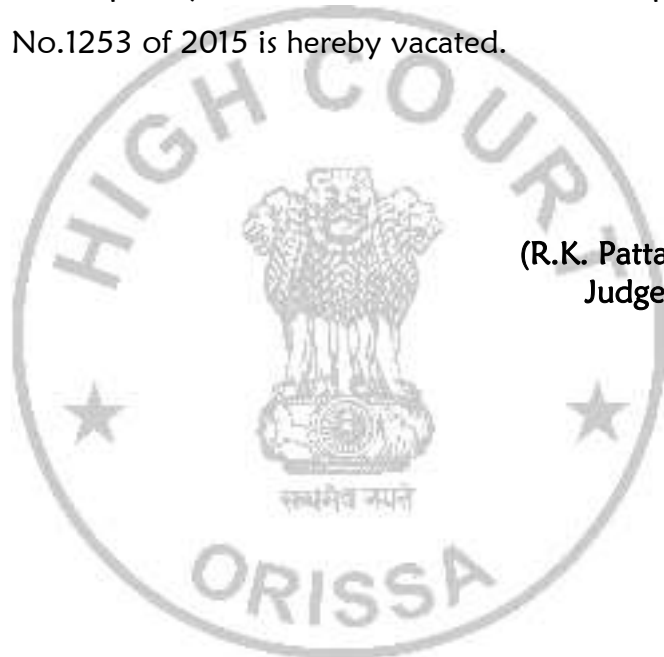
06. 1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner has challenged the criminal proceeding in G.R. Case No.99 of 2013 pending before the learned S.D.J.M., Birmaharajpur by filing the present petition under Section 482 Cr.P.C on the grounds stated therein.
3. Learned counsel for the petitioner submits that there is no prima facie case made out but considering the fact that the proceeding pending before the court below since 2013, he should be given liberty to raise all the grounds during trial including the ground with regard to confiscation proceeding initiated under Section 6-A of the Essential Commodities Act which was subsequently set aside by the learned District Judge, Sonapur by order dated 15th January, 2022, copy of which is made available to the Court along with convenience note.

4. Since such prayer is made by the learned counsel for the petitioner, the Court is, therefore, not inclined to consider the petition on merit and disposes it of with the following observation.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands dismissed. The petitioner is however at liberty to raise all such grounds before the court below which shall then be considered by the court on merit.

7. Consequently, the interim order dated 22nd April, 2015 passed in M.C. No.1253 of 2015 is hereby vacated.



(R.K. Pattanaik)
Judge

TUDU