

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.624 of 2022

Manoj Kumar Rana

.... ***Petitioner***

Mr. B.K. Raj, Advocate

-versus-

State of Odisha and Others

.... ***Opp. Parties***

Ms. S. Mishra, Additional Standing Counsel

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
8.4.2022

Order No.

01. 1. Heard Mr. B.K. Raj, learned counsel for the Petitioner and Ms. S. Mishra, learned Additional Standing Counsel for Opposite Party - State.
2. The rejection of the prayer for production of the victim from her alleged illegal confinement, as per allegations of the Petitioner, by the learned S.D.J.M., Baripada and confirmed in the Revision by the learned Additional Sessions Judge-cum-Special Judge, (Vigilance), Baripada, is the subject matter of challenge in the present petition.
3. Admittedly, the victim is a major girl having her date of birth on 22nd September, 2002. The Petitioner is the natural father of the victim who initially lodged an F.I.R. in Baripada Town P.S. registered for commission of offence under Section 363 I.P.C. The victim was rescued and sent to Swadhar Gruha at Baripada and after she attained her majority, was allowed to stay on her free will. The facts of the case reveal that she is living with the Opposite Party at her free will.

Thus the apprehension of the Petitioner of her illegal confinement has no substantial basis. As such considering the scope of Section 97 Cr.P.C. I do not find any infirmity in the order of learned S.D.J.M. rejecting the prayer of the Petitioner.

4. Accordingly the CRLMC is dismissed.
5. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge

M.K.Panda

