

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.485 of 2016

Sulav Sutar

..

Petitioner

None

-versus-

State of Odisha & another

.

Opp.Parties

Mr.Prem Patnaik, AGA

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

02.09.2022

Order No.

04.

1. None appears on behalf of the Petitioner.

2. As reveals from the order dated 26th July, 2018, direction was given to the State Counsel to enable him to obtain instruction with regard to the genuineness of the affidavit.

3. By means of this application, the Petitioner seeks to quash the Criminal proceeding in connection with G.R. Case no.07 of 2014 pending in the court of the learned Judicial Magistrate First Class, Aul.

4. The matter relates to commission of offence under Section 376(1) I.P.C. The learned counsel for the State submits that no definite conclusion could be reached in ascertaining the veracity of the Affidavit in absence of the husband despite a manhunt.

5. The matter is of the year 2016. No interim order is also passed in this case. Keeping in view the gravity of the offence, in absence of

any direction from this court, the matter might have proceeded. The absence of the petitioner in pressing the case, further assures the mind of this court that there is no point in keeping this CRLMC alive seeking intervention of the petitioner for hearing.

6. Hence, the CRLMC is dismissed for non prosecution.

(Chittaranjan Dash)
Judge

B.C.Mohanty

