

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.752 of 2022

Sulochana Pradhan and others

....
Petitioners
Mr. S. Dwibedi, Advocate

-Versus-

State of Odisha

....
Opposite Party
Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
05.09.2022

Order
No.

01.

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed by the petitioners for quashing of the impugned order dated 22nd March, 2021 passed in T.R. Case No.44 of 2021 arising out of Special G.R. Case No.32 of 2019 corresponding to Fategarh P.S. Case No.228 of 2018 pending in the file of learned Special Judge, Nayagarh on the grounds stated therein.
3. Perused the impugned order dated 22nd March, 2021 i.e. Annexure-1 and copy of the FIR is at Annexure-2.
4. Learned counsel for the petitioners submits that initially for lesser offences, the case was registered whereafter the petitioners have been released on bail by this Court's orders in ABLAPL No.16235 of 2018, ABLAPL No.15636 of 2018 and ABLAPL No.12506 of 2019 but then, subsequently, charge sheet was filed with higher offences including Section 366 IPC and Section 17 of the POCSO Act later to which the learned court below issued summons

which leads to an apprehension of remand in the event of their appearance. It is further submitted that petitioners are not directly connected to the alleged occurrence and since they were on bail, the CRLMC may be disposed of with an observation to the effect that in the event of their appearance, bail to be considered keeping in view the orders of this Court in the aforesaid ABLAPLs.

5. In view of the above submission, the CRLMC stands disposed of with a direction to the petitioners to appear before the learned court below on or before 28th September, 2022 in connection with Special G.R. Case No.32 of 2019 corresponding to T.R. Case No.44 of 2021 pending in the file of learned Special Judge, Nayagarh who shall pass appropriate order on merits and according to law keeping in view the fact that they were earlier released on bail pursuant to the direction of this Court in the ABLAPLs.

6. Learned counsel for the petitioner also seeks permission to carry out necessary correction in the cause title page of the petition to remove the defect which is allowed to be accomplished in course of the day.

(R.K. Pattanaik)
Judge