

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.825 of 2022

Niranjan Nayak *Petitioner*
-versus-
State of Odisha and others *Opposite Parties*

CORAM: JUSTICE S. PUJAHARI

ORDER
12.08.2022

Order
No.

04. 1. This matter is taken up through hybrid mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the notice dated 10th March, 2022 issued by the learned Executive Magistrate, Nuagaon in Crl. Misc. Case No.61 of 2022 under Annexure-2, so also the entire proceeding of Crl. Misc. Case No.61 of 2022 pending in the file of learned Executive Magistrate-cum-Tahasildar, Nuagaon.
3. Heard the learned counsel appearing for the Petitioner and the learned counsel appearing for the State-Opposite Parties No.1 to 3. No one appears on behalf of the Opposite Parties No.4 to 20 in spite of sufficiency of notice.

4. Perused the notice of show cause, which shows the same is not in consonance with Section 111 of the Cr.P.C.

5. I would, therefore, allow the Criminal Misc. Case. Consequently, quash the notice dated 10th March, 2022 issued by the learned Executive Magistrate, Nuagaon under Annexure-2.

6. However, quashment of the show cause notice would not preclude the State to give proper notice in the aforesaid case, if the apprehension so survives.

(S. Pujahari)
Judge

DA