

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.131 of 2022

Raj Kumar Sahu

....

Petitioner

Mr. S.K. Joshi, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
27.09.2022**

Order No.

07.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

संक्षेपिक न्यायो

This revision petition has been filed by the petitioner challenging the order dated 17.03.2022 passed by the learned Additional Sessions Judge, Kantabanji in S.C. Case No.44 of 2017 in rejecting the petition filed by him under section 311 of Cr.P.C.

It appears that a petition under section 311 of Cr.P.C. filed by the petitioner has been rejected by the learned trial Court wherein the prayer was made to recall the Investigating Officer whose chief examination commenced on 22.07.2019 but the learned defence counsel declined to cross-examine the I.O. on 17.03.2022.

Learned counsel for the petitioner produced the

deposition copy of the Investigating Officer, which is taken on record.

It is stated at the Bar that the case is posted for argument.

It is stated that in the recall petition, it is mentioned that some new facts came to the knowledge of the accused persons as regards deliberate non-production of material objects for which cross-examination of the Investigating Officer is necessary. Nothing has been stated as to what are those new facts. It is a case of the year 2017 and that to for the offence under section 302 of the Indian Penal Code. No questionnaire has been given in the petition. It appears to be a dilly-dallying tactics adopted by the petitioner through his counsel.

In view of the submissions made by the learned counsel for the respective parties and after going through the case record, I am not inclined to interfere with the impugned order dated 17.03.2022 passed by the learned Additional Sessions Judge, Kantabanji.

Accordingly, the CRLREV being devoid of merits, stands dismissed.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge