

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 344 of 2016

Dinesh Ku. Agrawal

....

Petitioner

Mr. Bibhu Pr. Mohanty, Advocate

-versus-

State of Odisha and Another

....

Opposite Parties

Mr. J. Katikia, Addl. Govt. Advocate

CORAM:

THE CHIEF JUSTICE

Order No.

ORDER
16.09.2022

- 03.
1. None appears for Opposite Party No.2 (Complainant) despite service and despite the counsel had entered appearance on earlier occasions.
 2. The short ground on which the Petitioner, who is a resident of Chhatisgarh seeks to challenge the order dated 4th July, 2015 passed by the J.M.F.C., S. Rampur in I.C.C. Case No.5 of 2015 is that cognizance is taken against a person residing outside the jurisdiction of the Court, without following Section 202 Cr.P.C.
 3. There being no opposition to the averment made in the present petition, the Court proceeds on the basis that the averments are true and accordingly, sets aside the order dated 4th July, 2015 and directs that the J.M.F.C., S. Rampur will now proceed in I.C.C. Case No.5 of 2015 afresh after complying with the requirements of Section 202 Cr.P.C. The case now be listed before that Court on 14th November, 2022 for being proceeded in accordance with law.

4. The CRLMC is disposed of in the above terms. An urgent certified copy of this order be issued as per rules.

5. A copy of this order be communicated forthwith to the concerned Subordinate Court.

(Dr. S. Muralidhar)
Chief Justice

S.K. Jena/Secy.

