

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.992 of 2022

Rakshi @ Rakhi Pandit

....

Petitioner

Mr. Dibyajyoti Sahoo, Advocate

-versus-

State of Orissa and Another

....

Opp. Parties

Mr. K.K. Das, Additional Standing Counsel

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

5.5.2022

Order No.

- 01.
1. Since copy has been served, defect No.6 is ignored.
 2. Heard Mr. D. Sahoo, learned counsel for the Petitioner and Mr. K.K. Das, learned ASC for Opposite Party – State.
 3. The Petitioner who is a major girl having her date of birth on 5th January, 2004 is aggrieved by order of learned Gram Nyayadhikari-cum-J.M.F.C., Bhograi sending her to short stay home.
 4. The Petitioner allegedly is the victim in C.T. No.59 of 2022 and her father filed a petition before the Magistrate praying to send her to short stay home or to his house. The learned Magistrate without discussing on the age of the Petitioner directed the investigating officer to take her to custody and place her in the shelter home, namely Kasturba Narisangha, Balasore until further order.

5. Aggrieved by such order of learned J.M.F.C. the Petitioner has approached this court praying to allow her to stay at her own will and choice.

6. The undisputed date of birth of the Petitioner being 5th January, 2004 as reflected in his High School Examination certificate issued by Board of Secondary Education, Orissa under Annexature-4, the impugned order is set aside with the observation that the Petitioner being a major girl can stay at anywhere at her free will.

7. With the aforesaid observations the CRLMC is disposed of.

8. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge

M.K.Panda

