

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1005 of 2022

Pradipta Kishore Rout.

....

Petitioner

-versus-

State of Odisha & another.

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

26.07.2022

Order No.

04.

1. This matter is taken up through Hybrid mode.
2. The petitioner in this application under Section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”) has prayed for quashing of the order dated 15.09.2021 passed by the learned J.M.F.C., Chandikhol in I.C.C. No.239 of 2021 taking cognizance of the offences under Sections 323, 341, 294, 325, 307 and 506 of IPC.
3. Heard the learned counsel for the parties.
4. Considering the facts and circumstances of the case, so also the submission advanced on behalf of the learned counsel for the petitioner, this Court is not inclined to interfere with the impugned order.

5. Hence, giving liberty to the petitioner to raise all the contentions at the time of framing of charge, if charge has not been framed in the meanwhile, this CRLMC stands disposed of being dismissed. Interim order dated 19.04.2022 passed by this Court stands vacated.

6. However, in the peculiar facts and circumstances of the case and since it is stated by the learned counsel for the petitioner that the petitioner is not on bail and now he is ready and willing to appear before the Court below and move for bail, this Court directs that if the petitioner surrenders and moves for bail in the aforesaid case before the Court in seisin over the matter within six weeks hence, the Court in seisin over the matter shall allow him to go on bail on such terms and conditions as deemed just and proper, provided he is not indicted in any other graver offence.

7. With the aforesaid order, this CRLMC stands disposed of.

8. A copy of this order be communicated to the Court below forthwith.

(S. Pujahari)
Judge

MRS