

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 4524 of 2015

Smt. Padmabati Dash

....

Petitioner

Mr. Niranjan Lenka, Advocate

-Versus-

Sri Pranakrushna Patra

....

Opposite Party

Mr. S.R. Patnaik, Advocate for OP No.2

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

08.09.2022

Order No.

06.

1. Heard learned counsel for the petitioner and learned counsel for the State. None appears for opposite Party No.2.
2. Instant petition under Section 482 Cr.P.C. has been filed by the petitioner assailing the impugned order dated 10th July, 2015, passed by the learned JMFC, Balasore in ICC No.221 of 2008 on the grounds stated therein.
3. Learned counsel for the petitioner submits that for a just decision of the case the signature appearing in the cheque is required to be examined by an expert with an opinion thereof or else petitioner will be highly prejudice. It is stated that similar requests have been rejected by this Court apart from the examination of the petitioner under Section 313 Cr.P.C. Accordingly, it is stated that the impugned order is liable to be interfered with at this stage.
4. It is informed to the Court that the proceeding in ICC No.221 of 2008 pending at the stage of argument. However, the parties have led the evidence. Once an issue has been led at the behest of the petitioner and since similar requests have been made

to send the cheque to handwriting expert, which was subsequently rejected.

5. Learned counsel for the petitioner submits that the order was challenged before this Court but did not have any result.

6. In view of the above facts and considering the submissions of the parties, the Court is of the view that at this stage, no ground is made out so far as Annexure-4 is concerned. The contention which has been raised in the present petition is to the issuance of cheque and its signature subject to decision in ICC No.221 of 2008. Accordingly, this Court finds no reason to interfere in the impugned order under Annexure-4. Accordingly it is ordered.

7. In the result, the CRLMC stands dismissed.

8. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

U.K.Sahoo

