

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2512 of 2014

Subhrakanta Panda.

....

Petitioner

-versus-

Maheswar Panigrahi & another.

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER
03.08.2022

Order No.

17. 1. 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 19.03.2014 passed by the learned J.M.F.C., Jajpur Road in 2(C) C.C. No.20 of 2014 taking cognizance of the offence under Section 15 of the Environment Protection Act against him.
2. Heard the learned counsel for the parties.
3. It has been submitted by Mr. S.K. Padhi, learned senior counsel appearing for the petitioner that since the issue involved in this petition is squarely covered by the judgment of this Court passed in CRLMC Nos.1923 and 1925 of 2018 (*Odisha Mining Corporation Ltd. vrs. State of Odisha and others*), so also the order passed by this Court in CRLMC

No.3583 of 2017, this CRLMC may be disposed of in terms of the said judgment.

4. Considering the aforesaid submission of the learned senior counsel appearing for the petitioner, this CRLMC is allowed in terms of the judgment/order rendered in the aforesaid CRLMCs. Consequently, the impugned order of cognizance as well as the criminal prosecution launched against the petitioner stands quashed.

5. However, liberty is given to the State to file a duly constituted complaint, if so desired by the State.

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

(S. Pujahari)
Judge

MRS