

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLMC No.112 of 2012**

***Ch. Kishore Mohan Patra & another.*** .... ***Petitioners***

***-versus-***

***State of Odisha & another.*** .... ***Opposite Parties***

**CORAM: JUSTICE S.PUJAHARI**

**ORDER**  
**18.04.2022**

**Order No.**

03.

1. This matter is taken up through Hybrid mode.
2. The petitioners in this application under Section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”) have prayed for quashing of the order dated 07.09.2011 passed by the learned J.M.F.C., Aska in I.C.C. No.21 of 2011 taking cognizance of the offences under Sections 448 and 506/34 of IPC.
3. Heard the learned counsel for the petitioners and the learned counsel for the State.
4. Considering the facts and circumstances of the case, so also the submission advanced on behalf of the learned counsel

for the petitioners, this Court is not inclined to interfere with the impugned order.

5. Hence, giving liberty to the petitioners 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 24.02.2012 passed by this Court stands vacated.

6. However, since it is stated by the learned counsel for the petitioners that the petitioners are not on bail and now they are ready and willing to appear before the Court below and move for bail, this Court directs that if the petitioners surrender and move 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 them to go on bail on such terms and conditions as deemed just and proper, provided they are 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