

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1894 of 2015

Smt. Sushila Mohanty ***Petitioner***
versus-
State of Orissa and another ***Opposite Parties***

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
17.08.2022

- 07.
1. This matter is taken up through hybrid mode.
 2. This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the criminal proceeding in G.R. Case No.207 of 2014(A), arising out of Chandabali P.S. Case No.108 of 2014, pending in the court of J.M.F.C., Chandabali.
 3. Learned counsel for the Petitioner during course of argument submits that the Petitioner does not want to press this application since the Petitioner intends to surrender and move for bail before the court below. However, he submits that direction may be given to the court below to release the Petitioner on bail.
 4. Considering the submission made, this CRLMC stands dismissed as not pressed. However, it is observed that if the Petitioner surrenders before the Court in seisin over the matter within four weeks hence and make a motion for bail, the Court in seisin over the matter shall consider and dispose of her bail

application in course of the day taking note of the fact that son of the Petitioner has already been acquitted vide judgment dated 25th March, 2015 passed by the learned A.S.J.-cum-Special Track, Bhadrak in Sessions Trial No.41/183 of 2014 and the Petitioner is the mother in law of the deceased and also the law laid down by the Apex Court in the case of ***Satender Kumar Antil v. Central Bureau of Investigation & Anr. (Miscellaneous Application No.1849 of 2021 in Special Leave Petition (Crl.) No.5191 of 2021 decided on 11th July, 2022).***

5. Till the aforesaid date, i.e., either the date of surrender before the trial Court or on expiry of four weeks, whichever is earlier, the Petitioner shall not be arrested pursuant to the N.B.W.(A) issued.

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

(S. Pujahari)
Judge

DA