

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1200 of 2022

Rajib Lochan Sahoo

....

Petitioner

-versus-

Ashok Kumar Pal

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

21.07.2022

Order No.

01.

1.This matter is taken up through Hybrid mode.

2.Heard learned counsel for the Petitioner.

3.This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the order dated 23.03.2022 passed by the learned J.M.F.C., Chandikhole in ICC No.297 of 2017 wherein the learned J.M.F.C has rejected the petition filed by the Petitioner to recall P.W.3 for cross-examination.

4. As it appears in a proceeding under Section 138 of the N.I Act initiated in the year 2017, the Petitioner wanted to recall P.W.3 who is a Manager of SBI, Jajpur Town, who has already appeared on 17.11.2021 and produced all the related documents before the court. On the same day, the counsel for the Petitioner was not present for which the Bank Manager was not cross-examined. On the same day the counsel for the Petitioner filed a petition stating therein that since he was busy in the District and Sessions Judge,

Jajpur, he could not cross-examine P.W.3. The trial court rejected the petition and the cross-examination of the Bank Manager was declined and case was adjourned to 6.4.2022 for accused statement.

5. From the aforesaid facts, it appears that the Petitioner wants to linger the proceeding. Therefore, this Court is not inclined to interfere with the impugned order.

6. Accordingly, this CRLMC stands dismissed.

(S. Pujahari)
Judge

PKS

