

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2924 of 2013

Kambupani Parichha ***Petitioner***

-versus-

Guna Sagar Budhia ***Opposite Party***

CORAM: JUSTICE S. PUJAHARI

ORDER

04.07.2022

Order

No.

10.

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 order dated 11th September, 2013 passed by the learned S.D.J.M., Bhawanipatna in 1.C.C. Case No.16 of 2013/T.R. No.212 of 2013 wherein the petition under Section 311 of Cr.P.C. filed by the Petitioner to recall the Opposite Party-Complainant (P.W.1) has been rejected.
3. Heard the learned counsel for the Petitioner.
4. Learned counsel for the Petitioner during course of argument submits that he does not want to press this petition 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, as in the meanwhile warrant has been issued against him.

5. Considering the aforesaid submission of the learned counsel for the Petitioner, this CRLMC stands dismissed as not pressed.

6. However, since the Petitioner is ready and willing to surrender before the Court in seisin over the matter and makes a motion for bail, it is directed that if the Petitioner surrenders before the Court in seisin over the matter within six weeks hence and makes a motion for bail, the Court in seisin over the matter shall release him on bail on such terms and conditions as deemed just and proper, but after recording the statement under Section 313 of Cr.P.C. of the Petitioner in course of the day. The Petitioner to facilitate the aforesaid produce a copy of this order before the court concerned in advance indicating the date of his surrender.

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

(S. Pujahari)
Judge

DA