

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1853 of 2012

Kabita Pati and another *Petitioners*
.....
State of Orissa *Opposite Party*
.....
versus-

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
25.04.2022

05. 1. This matter is taken up through hybrid mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioners with a prayer to quash the order of cognizance dated 26th December, 2011 passed by the learned S.D.J.M., Panposh in G.R. Case No.1646 of 2011.
3. Learned counsel for the Petitioners submits that he has no instruction in the matter from his clients.
4. Considering the submission of the learned counsel for the Petitioners and the fact that the case is the year 2012, this Court is of the view that the Petitioners are recalcitrant litigants and do not want to proceed with the matter.
5. Hence, this CRLMC stands dismissed for non-prosecution.
6. However, liberty is given to the Petitioners to raise the contention that no case is made out against them at the time of framing of charge, if charge has not been framed in the

aforesaid case and in that event, the court concerned shall decide the same on its own merit.

7. Interim order dated 25th July, 2012 passed by this Court in Misc. Case No.1291 of 2012 stands vacated.

8. Order be communicated to the court concerned forthwith.

(S. Pujahari)
Judge

DA

