

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1310 of 2022

Nafisa Khatun

....

Petitioner

-versus-

State of Orissa

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

22.07.2022

Order

No.

03.

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 orders dated 8th October, 2021 and 17th March, 2022 passed by the learned J.M.F.C., Salipur in G.R. Case No.303 of 2017.
3. Heard the learned counsel for the Petitioner and the learned counsel for the State-Opposite Party.
4. As it appears, charge sheet witness Priyabarta Mishra, as reported to have dead by the concerned police station, the learned J.M.F.C., Salipur declined his evidence, as he is dead and notice was issued to other witnesses.

5. However, the Petitioner-Complainant has come to this Court with a prayer that such a report was mischievously furnished by the police without making due inquiry inasmuch as the aforesaid witness is alive and working as Class-IV employee in Japakud Women's College.

6. Considering such submission, this Court dispose of this petition with a direction to the learned J.M.F.C., Salipur to have an inquiry on the matter and also allow the Petitioner-Complainant to be examined the witness Priyabarta Mishra, if he alive. Furthermore, necessary action be taken against the person, who stated to have furnished the report.

(S. Pujahari)
Judge

DA