

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.1106 of 2020

Prabina Kumar Parida

....

Petitioner

Mr. R. Achary, Adv.

-versus-

State of Odisha

....

Opposite Party

Mr. Manoj Kumar Mohanty, ASC

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

31.01.2022

Order No.

02.

1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner has filed this CRLMC with a prayer to quash the order dated 26.12.2012 passed by the learned S.D.J.M., Puri in G.R. Case No.2227 of 2012, arising out of Brahmagiri P.S. Case No.237(7) of 2012 taking cognizance against him.
4. Learned counsel for the petitioner submits that though the case is of the year 2012, but the trial is moving slowly. He further submits that the offence under Section 379 of the I.P.C. is not attributed to the present petitioner. In view of such delay in proceeding with the trial, the petitioner is unnecessarily suffering.
5. In view of such facts and circumstances of the case, the court in *seisin* over the matter is directed to frame the charge in this case within a period of two months from today. The petitioner is also granted liberty to raise all the contentions raised in this CRLMC at the time of framing of charge.

6. However, it is made clear that if the charge is not framed by the court in *seisin* over the matter in the aforesaid case within the time stipulated, the petitioner is at liberty to approach this Court for redressal of his grievance.

7. Accordingly, this CRLMC stands disposed of.

8. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the Advocate concerned with his/her seal, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 and Court's Office Order dated 7th January, 2022.

(S.K. Panigrahi)
Judge

BJ

