

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1419 of 2022

Amit Jaiswal

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

12.07.2022

Order No.

01.

1.This matter is taken up through Hybrid mode.

2.Heard learned counsel for the Petitioner and learned counsel for the State.

3.This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the order dated 26.02.2022 passed by the learned Ad hoc Addl. Sessions Judge-cum-Fast Track Special Court, Bhubaneswar in T.R. Case No.2692 of 2017 wherein N.B.W. (A) has been issued against him.

4. It appears that the aforesaid case is triable by the Special Court constituted under the POCSO Act. Since the Petitioner was not appearing repeatedly before the said court, N.B.W.(A) has been issued against him at the stage of accused statement. But Petitioner has come to challenge the same in this petition for expeditious disposal of such cases, pursuant to a direction of the apex Court, Fast Track Courts have been constituted.

5. However, it is submitted by the learned counsel for the Petitioner that the Petitioner is now ready and willing to surrender before the trial court and cooperate with the trial and as such this Court shall direct the trial court to release him on bail during pendency of the trial.

6. Considering the facts and the submissions made, though this Court is not inclined to interfere with the impugned order but directs that if the Petitioner surrenders before the court in seisin over the matter and moves for bail within four weeks' hence, the court in seisin over the matter shall allow him to go on bail on such terms and conditions as it may deem just and proper after recording his statement under Section 313 Cr.P.C.

7. Needless to say that for his early release on bail, the Petitioner may intimate the court the date of surrender in advance with a copy of this order so that the court concerned can record his statement on the date of his appearance and allow him to be released on bail.

8. With the aforesaid order, this Criminal Misc. Case stands disposed of.

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

(S. Pujahari)
Judge