

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1536 of 2022

Biswaranjan Moharana

....

**Petitioner**

Mr. A.R. Panda, Advocate

-Versus-

State of Odisha

....

**Opposite Party**

Mr. T.K. Praharaj, SC

**CORAM:**

**MR. JUSTICE R.K. PATTANAİK**

**ORDER**

**24.11.2022**

Order  
No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Prayer in the present case for quashing of the criminal proceeding in C.T. Case No.1484 of 2022 arising out of Phiringia P.S. Case No.36 of 2022 pending in the file of learned S.D.J.M., Phulbani on the grounds stated therein.
3. In fact, a report was lodged against the petitioner whereupon Phiringia P.S. Case No.36 of 2022 was registered under Sections 419, 465 and 468 IPC.
4. The allegation is that the petitioner produced a fake BEd certificate at the time of applying for job which was subsequently detected and according to Mr. Panda, learned counsel appearing for him, he has been removed from service thereafter. Mr. Praharaj, learned counsel for the State submits that there is prima facie case

against the petitioner for having committed the offence and hence, the proceeding cannot be quashed.

5. At this juncture, Mr. Panda, learned counsel for the petitioner submits that if the Court is not inclined to interfere with the criminal proceeding in C.T. Case No.1484 of 2022, with a limited prayer, the petitioner may be directed to surrender before learned court below since as on the date, the investigation still in progress.

6. Considering the above submission and peculiar facts and circumstances of the case, CRLMC stands disposed of with a direction to the petitioner to surrender before the learned S.D.J.M., Phulbani in connection with C.T. Case No.1484 of 2022 arising out of Phiringia P.S. Case No.36 of 2022 on or before 9<sup>th</sup> December, 2022 and in the event he surrenders, the court shall release on bail subject to conditions as deemed just and proper in the facts and circumstances of the case.

7. Urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)  
Judge