

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLMC No.1436 of 2011**

***Arosmita Samal & others.*** .... ***Petitioners***

***-versus-***

***State of Odisha & another.*** .... ***Opposite Parties***

**CORAM: JUSTICE S.PUJAHARI**

**ORDER**

**14.03.2022**

**Order No.**

07. 1. This matter is taken up through Hybrid mode.
2. The petitioners in this application under Section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”) have prayed for quashing of the order of cognizance dated 04.03.2011 passed by the learned S.D.J.M., Bhadrak in 1.C.C. Case No.258 of 2010 taking cognizance of the offences under Sections 379, 506 and 294 of IPC.
3. No one appears for the petitioners at the time of call. Mr. Debasish Samal, learned counsel appearing for the opposite party no.2 is present. This case is of the year 2011 and one decade has already been passed from the date of filing of this case. As such, the petitioners appear to be recalcitrant litigants and have lost interest in the present litigation. Hence, this

CRLMC stands dismissed for non-prosecution. Interim order dated 07.07.2011 passed by this Court stands vacated.

4. However, liberty is given to the petitioners to raise all such contentions at the time of framing of charge, if the charge has not been framed.

5. A copy of this order be communicated to the Court below forthwith.

MRS



**(S. Pujahari)**  
**Judge**