

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1572 of 2022

Smt. Krishna Mahunta

....
Mr. P.K. Sahoo, Advocate

Petitioner

-Versus-

State of Odisha and Another

....
Mr. T.K. Praharaj, SC

Opposite Parties

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
16.09.2022

Order
No.
01.

1 Heard learned counsel for the petitioner and learned counsel for the State.

2. Present petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the criminal proceeding in G.R. Case No.700 of 2021 corresponding to Kasia Marine P.S. Case No.116 of 2021 pending in the file of learned J.M.F.C., Basudevepur on the grounds stated therein.

3. Perused copy of the FIR and charge sheet as at Annexures-1 and 2 respectively.

4. Learned counsel for the petitioner submits that latter to the lodging of FIR i.e. Annexure-2, Kasian Marine P.S. Case No.116 of 2021 was registered under Sections 498-A, 304-B, 306 read with 34 IPC and Section 4 of the Dowry Prohibition Act. It is submitted that no case is made out against the petitioner who is the mother-in-law of the victim and that apart, the allegations in Annexure-2 is omnibus in nature. A copy of the order dated 10th May, 2022

passed by the learned Sessions Judge, Bhadrak as at Annexure-3 is referred to by the learned counsel for the petitioner claiming that the other two accused persons, namely, husband and in-law of the victim have already been granted bail in the meantime. It is contended that the warrant of arrest is pending execution against the petitioner and in the facts of the case, the learned counsel for the petitioner submits that she should be directed to surrender and go on bail on the same terms and conditions imposed on the other accused persons by the Sessions Court.

5. Considering the above prayer and since the learned counsel for the petitioner does not pray the petition on merit, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned J.M.F.C., Basudevpur on or before 30th September, 2022 in G.R. Case No.700 of 2021 corresponding to Kasia Marine P.S. Case No.116 of 2021 and in the event of surrender, the court shall release her on bail with conditions as deemed just and proper in the facts and circumstances of the case.

6. An urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge

TUDU