

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1612 of 2022

Labangalata Jena

....

Petitioner

Mr. Suryakanta Jena, Advocate

-versus-

State of Odisha (Vigilance)

....

Opposite Parties

Mr. N. Maharana,

*Additional Standing Counsel for the
Vigilance Department*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.06.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard Mr. Suryakanta Jena, learned counsel for the petitioner and Mr. Niranjana Maharana, learned Addl. Standing Counsel for the Vigilance Department.
3. This is an application under Section 482 of the Cr.P.C. The petitioner is aggrieved by freezing of her bank account standing in different banks and Insurance Policy at the instance of Vigilance Department in connection with Bhubaneswar Vigilance P.S. Case No.05 of 2022 corresponding to V.G.R. No.8 of 2022 pending before the learned Special Judge (Vigilance), Bhubaneswar registered against one Dr. Sukanta Kumar Jena for the alleged commission of offence under Section 13(2) read with Section 13(1)(b) of the P.C. (Amendment) Act, 2018. It is submitted that the present petitioner is

relations of the said accused person, but she is in no way connected with the case in question. It is submitted by learned counsel for the petitioner that the present petitioner is not an accused in Bhubaneswar Vigilance P.S. Case No.5 of 2022. It is further submitted that because of such freezing of the concerned Bank accounts, she has been put to unnecessary inconvenience and harassment. It is also contended that the provisions of Section 102 of Cr.P.C. and Section 18-A of the P.C. (Amendment) Act, 2018 has not been adhered to by the Investigating Officer at all.

4. Mr. Maharana, learned counsel Addl. Standing Counsel appearing for the Vigilance Department fairly submits that the present Petitioner is not implicated in the V.G.R. case in question and that the bank accounts in question came to light during search of her house. There is, however, no specific material showing her involvement in the present case. Further, learned counsel for the Vigilance Department does not disagree that the petitioner is not connected with the aforesaid Vigilance Case.

5. Considering the submissions made by the parties as above, this Court feels that freezing of the Bank accounts of the petitioner at the instance of Vigilance Department in connection with the Vigilance Case in which the present petitioner has no role to play, is not justified. The prayer of the petitioner is, therefore, allowed. The Investigating Officer is directed to take necessary steps for de-freezing of the Bank Accounts bearing No.20225189402 (Pensionary benefit A/c.) of SBI, Tulasipur Branch, Cuttack, S.B. A/c. No.52019216844 of SBI, Kanika chhak Branch, Cuttack, Fixed Deposit Account Nos.62383814886, 62383815052 and 62383814988 in the State Bank of Hyderabad at present SBI, Biju

Pattanaik Chhak Branch, Cuttack, Bajaj Allianz Policies No.0305255176 and 0332341056 at Bajaj Allianz, College Road, district Nayagarh in the name of Smt. Labangalata Jena and Savings Bank Account No.20225189402 of the present petitioner as early as possible, preferably within a period of fifteen days from the date of receipt of copy of this order.

6. With the aforesaid observation and direction, the CRLMC is disposed of.

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

A free copy of this order be given to Mr. N.Maharana, learned Addl. Standing Counsel for the Vigilance Department. Urgent certified copy of this order be granted on proper application.

