

IN THE HIGH COURT OF ORISSA AT CUTTACK
TRPCRL No.43 of 2022

Prativa Manna

.... ***Petitioner***
Mr.U.C.Mishra, Advocate

Versus

1.State of Odisha
2.Rajesh Majhi

.... ***Opp. Parties***
Mr.S.S.Pradhan, AGA
(O.P.1)

CORAM:
JUSTICE SAVITRI RATHO

ORDER
26.08.2022

Order No.

04.

This matter is taken up by hybrid mode.

2. This transfer petition under Section 407 of Cr.P.C. has been filed by the petitioner for transfer of C.T. No. 184 of 2019 (arising out of Junagarh P.S. Case No. 188 of 2019) from the Court of learned Nyayadhikari-cum-J.M.F.C., Gramya Nyayalaya, Junagarh, to the Court of learned S.D.J.M., Balasore.

3. On 20.07.2022, as learned counsel for the petitioner had submitted that the petitioner is staying in Balasore alongwith her young daughter and her husband was staying in Delhi and she was apprehensive of going to Junagarh to give her evidence, apprehending violence by the opp. party No.2, the learned Addl. Government Advocate had been directed to obtain instructions if the petitioner can be examined and cross-examined through Video Conferencing mode from Balasore when her ---- comes to adduce evidence in the trial. On 08.08.2022, on the basis of written instruction dated 27.07.2022 received from the Assistant Public Prosecutor of the Court of learned Nyayadhikari-cum-J.M.F.C., Gramya Nyayalaya, Junagarh, Mr. S.S.Pradhan,

learned Addl. Government Advocate had submitted that although no Video Conferencing facilities are available in the said Court but the Court of the learned Civil Judge (Junior Division)-cum-J.M.F.C., Junagarh has facilities for examination of witnesses through Video Conferencing mode. Hence liberty had been given to the petitioner and her husband to file an application through their advocate in the Court of the learned Nyayadhikari-cum-J.M.F.C., Gramya Nyayalaya, Junagarh for their examination through Video Conferencing mode.

4. Mr. Mishra, learned counsel for the petitioner submits that an application for such examination of the petitioner and her husband had been filed in the aforesaid Court on 25.08.2022 and case is posted to 14.11.2022 for their examination .

5. In view of such development, I find no necessity to transfer the C.T. Case No.184 of 2019 as the apprehensions of the petitioner will be obviated if their application for examination through Video Conferencing mode is allowed .

6. The TRP (CRL) is therefore disposed of with the observation that the application filed for examination of the petitioner and her husband through Video Conferencing mode shall be considered by the learned Nyayadhikari-cum-J.M.F.C., Gramya Nyayalaya, Junagarh, in accordance with law.

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

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Savitri Ratho

Judge