

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1680 of 2022

Jitu Sika @ Chudamani Sika

....

Petitioners

Mr.Jagabandhu Sahu, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. Tapas Kumar Praharaj, SC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
23.09.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The present challenge is as to the quashing of criminal proceeding in G.R. Case No.742 of 2019 arising out of Puintala P.S. Case No. 116 of 2019 pending in the court of learned S.D.J.M., Balangir on the grounds stated therein.
3. Perused the copy of the FIR as at Annexure-1 and copy of the charge sheet at Annexure-2.
4. Learned counsel for the petitioner submits that petitioner has been solely arrayed as an accused on the strength of confessional statement of the co-accused and he is not at all involved in the incident during which a collection bag was snatched away which contained an amount of Rs.24,050/- and that apart, other accused persons involved are already on bail.

5. Learned counsel for the State submits that there is material against the petitioner and as per the chargesheet, the petitioner and three others managed to snatch away the bag containing cash and therefore, the criminal proceeding cannot be quashed on the ground raised herein. The Court is also not inclined to interfere with the criminal proceeding solely on the ground that the petitioner has been implicated in the alleged incident on the basis of confessional statement of the co-accused.

6. Since three other accused persons are on bail and though the Court is not inclined to quash the criminal proceeding, it is of the view that the petitioner should at least be directed to surrender before the learned S.D.J.M., Balangir and accordingly, it is ordered and hence, allowed to surrender on or before 12.10.2022 in G.R. Case No.742 of 2019 arising out of Puintala P.S. Case No.116 of 2019 and in such an event, he shall be released on bail with conditions as deemed fit and proper in the facts and circumstances of the case.

7. The CRLMC stands disposed of.

8. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge