

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPCRL No.75 of 2022

Jayanti Mahanandia

.....

Petitioner

Mr. Chitta Ranjan Sahu, Adv.

-Versus-

***Superintendent of Police,
Rayagada & others***

.....

Opp. Parties

Mrs. Saswata Patnaik, AGA

CORAM:

JUSTICE S. TALAPATRA

JUSTICE M.S. SAHOO

ORDER

21.07.2022

Order No.

05.

1. This matter is taken up through Hybrid Arrangement (Virtual/ Physical Mode).
2. In terms of the order dated 18.07.2022, Mrs. Saswata Patnaik, learned Addl. Government Advocate appearing for the State has produced before us the written instruction that she has received from the I.I.C., Rayagada Police Station. It has been stated by the said instruction that during the investigation of the case being Rayagada P.S. Case No.60 of 2022, I.I.C., Rayagada Police Station visited the spot and examined the complainant and other witnesses. He has further stated that on 09.03.2022, the victim girl, the name is withheld for protecting her identity, appeared at the Police Station and at that time, her statement under Section 161 of the Cr.P.C was recorded. Then, she was sent for the medical examination. But she refused to be medically examined. Thereafter, her statement under Section 164 of the Cr. P.C. has been recorded by S.D.J.M., Rayagada. In the said statement, she has disclosed that her parents tried to give her in marriage without her will. That is the reason why she had left the

house and now, she has been living with one of her distant relation, namely, Fakira Garadia of Rayagada Raniguda farm, Women's College back side Harijan Sahi, Rayagada. Even in the order dated 10.07.2020, we have recorded this part of the fact. The police has reiterated the same fact, further stating that the girl is aged about 19 years according to her own statement.

3. Mr. C.R. Sahu, learned counsel appearing for the petitioner, however, has not challenged the age of the girl, but has stated that in the turn of events, he would urge this Court to ensure visitation of the parents with the girl at the residence of Fakira Garadia.

4. We find there remains nothing to be adjudicated in this Habeas Corpus application. But the prayer of Mr. Sahu, learned counsel is quite reasonable and as such, we direct I.I.C., Rayagada Police Station to arrange a meeting of the petitioner and his wife and other relatives with the girl, who is now staying with Fakira Garadia, a distant relation of that family. For this purpose, the petitioner shall approach I.I.C., Rayagada Police Station with copy of this order and I.I.C., Rayagada shall arrange such meeting in the earliest of availability.

5. In terms of the above, this proceeding stands closed and disposed of.

6. A free copy of this order be supplied to the learned counsel for the parties forthwith.

(S. Talapatra)
Judge

(M.S. Sahoo)
Judge



