

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.920 of 2016

Rabinarayan Samantaray

....

Petitioner

Mr. G.C.Mohanty, Advocate

-versus-

State of Orissa

....

Opp. Party

Mr.P.Tripathy, A.S.C.

CORAM:

JUSTICE G. SATAPATHY

ORDER

20.09.2022

Order No.

04.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. None appears for the petitioner at the time of call.

3. The petitioner by way of this application U/S. 482 of Cr.P.C seeks to quash the order taking cognizance dated 11.05.2007 passed by learned S.D.J.M., Khurda in G.R. Case No. 945 of 2005 as well as the criminal proceeding arising out of the same. This Court by an order passed on 06.05.2016 has stayed the execution of N.B.W. issued against the petitioner but the impugned order passed by the learned Court in aforesaid case discloses about issuance of N.B.W.As against the absconding accused persons but not against the petitioner. However, no stay has been granted from further proceeding in this case and in the meantime, fourteen years have already elapsed from the date of passing of the impugned order. This Court, therefore, entertains a reasonable doubt as to whether the cause of action for the present petitioner still

survives.

4. In view of such development in the matter, the CRLMC is dismissed for non-prosecution.

(G. Satapathy)
Judge

Kishore

