

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.1184 of 2022

Pramila Pradhan

....

Petitioner

***Mr. R.K. Sahu,
Advocate***

-versus-

State of Odisha & others

....

Opposite Parties

***Mr. H.M. Dhal,
Additional Government Advocate***

**CORAM:
JUSTICE BISWAJIT MOHANTY**

ORDER

13.09.2022

Order No.

- 02.
1. Heard Mr. R.K. Sahu, learned counsel for the petitioner and Mr. H.M. Dhal, learned Additional Government Advocate.
 2. Learned counsel for the petitioner submits that after lodging of F.I.R in Naikandihi P.S. Case No. 111 of 2022 under Sections-302/34, I.P.C against the several accused persons, the petitioner and her family members are living under constant threat from the accused persons. Therefore, he prays that the Opposite Party Nos.3 & 4 be directed to give the petitioner and her family members adequate protection.
 3. Mr. Dhal, learned Additional Government Advocate submits that for getting protection, the petitioner should approach the “Competent Authority” constituted under “Witness Protection Scheme, 2019” notified by the Government of Odisha vide Extraordinary Gazette Notification No. 1164 dated 06.07.2019 in tune with the judgment of the Supreme Court in the case of ***Mahender***

Chawla & others v. Union of India & others reported in (2019 (I) OLR (SC) 126. According to him, since the petitioner is the informant, she being a star witness in case of a future trial, she can seek protection under the above noted scheme by filing a petition in the prescribed form before the “Competent Authority” consisting of the learned District & Sessions Judge as Chairman, head of the Police in the district as Member and head of prosecution in the district as its Member Secretary. He also submits that the said Scheme provides different types of protection measures under Clause-7.

4. In such background, Mr. Sahu submits that the petitioner may be granted liberty to approach the “Competent Authority” for the purpose of getting protection.

5. Considering the submissions made, this court grant liberty to the petitioner to approach the “Competent Authority” under “Witness Protection Scheme, 2019” in appropriate manner. It is made clear that in the event such a motion is made, the “Competent Authority” is directed to take a decision on such motion in tune with the above noted Scheme as expeditiously as possible.

6. The CRLMP is accordingly disposed of.

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

(Biswajit Mohanty)
Judge