

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2558 of 2011

Debaraj Madali.

....

Petitioner

-versus-

State of Odisha & another.

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER
21.03.2022

Order No.

09.

1. This matter is taken up through Hybrid mode.
2. The petitioner in this application under Section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”) has prayed for quashing of the order of cognizance dated 02.07.2011 passed by the learned S.D.J.M.(S), Cuttack in G.R. Case No.341 of 2011 taking cognizance of the offences under Sections 417, 371(1) and 506 of IPC.
3. No one appears for the petitioner at the time of call. No doubt, Mr. H.S. Mishra, learned counsel appearing for the petitioner is on accommodation. But, in some cases, since his junior is appearing and this case is of the year 2011, this Court is not inclined to adjourn this matter further.

4. Hence, this CRLMC stands dismissed for non-prosecution, inasmuch as the petitioner appears to be recalcitrant litigant and has lost interest in the present litigation. Interim order dated 21.09.2011 passed by this Court stands vacated.

5. However, liberty is given to the petitioner to raise all such contentions at the time of framing of charge, if charge has not been framed in the meanwhile and in that event the Court concerned shall consider the same in accordance with law without being influenced by this order in any manner, but taking note of the law in this regard.

6. A copy of this order be communicated to the Court below forthwith.

(S. Pujahari)
Judge

MRS