

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No. 274 of 2022

1. Soumya Ranjan Sahoo

2. Minimayee Sahoo **Petitioners**

Mr. Milan Kanungo,
Senior Advocate

-versus-

State of Odisha

.... **Opp.Party**

Mr. Rajesh Tripathy
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
26.07.2022

Order No.

03. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

In pursuance of the order dated 19.07.2022, the learned counsel for the petitioners has filed the certified copy of the order sheet of the learned trial Court from which it appears that till date, no charge has been framed. The order sheet is taken on record.

Heard Mr. Milan Kanungo, learned Senior Advocate appearing for the petitioners and Mr. Rajesh Tripathy, learned Additional Standing Counsel for the State of Odisha.

The petitioners in this revision petition have

challenged the order dated 14.03.2022 passed in S.T. Case No.141 of 2020 by the learned Assistant Sessions Judge, (Special Track Court), Baripada in rejecting their petition under section 227 of Cr.P.C. for discharge.

Learned counsel for the petitioners submitted that charge sheet has been submitted under sections 376(1)/201/506/34 of the Indian Penal Code against the petitioners. However, he further submitted that the victim had got relationship with another boy and the petitioners have been falsely entangled in the case. He further submitted that during course of investigation, the call detail reports between the victim and the petitioner no.1 so also between the victim and her lover were collected but no attempt has been made by the Investigating Officer to ascertain the nature of call between the parties and that the investigation is perfunctory which is another ground for quashing the framing of charge.

Learned counsel for the State, on the other hand, opposed the prayer for quashing and submitted that there are enough material on record to frame charge and the plea of the petitioners, if any, that they are not responsible for the alleged crime and at the instance of somebody else, they have been falsely entangled in the case, are to be brought on record before the learned trial Court by adducing evidence, which is to be adjudicated in accordance with law at the appropriate stage.

Considering the submissions made by the learned

counsel for the respective parties, the nature of accusation against the petitioners, materials available on record and when law is well settled that meticulous examination of the evidence on record is not permissible at the stage of framing of charge and defence plea, if any, cannot be looked into at this stage, I am not inclined to interfere with the impugned order dated 14.03.2022 passed by the learned Assistant Sessions Judge, (Special Track Court), Baripada.

Accordingly, the CRLREV stands dismissed.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM

