

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1745 of 2022

Surendra Kumar Jena and others* *Petitioners

-versus-

State of Odisha* *Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

12.08.2022

Order

No.

01.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this application under Section 482 of the Code of Criminal Procedure has prayed for quashment of the order dated 13th November, 1991 passed by the learned S.D.J.M., Khurda in G.R. Case No.555 of 1989, taking cognizance of the offences under Section 147, 148, 341, 325, 323, 307 and 149 of the I.P.C.
3. Heard the learned counsel for the Petitioners and the learned counsel for the State.
4. Considering the facts and circumstances of the case, so also the submission advanced on behalf of the Petitioners, this Court is not inclined to interfere with the impugned order.

5. Hence, giving liberty to the Petitioners to raise all the contentions at the time of framing of charge, if charge has not been framed in the meanwhile, this CRLMC stands disposed of.

6. However, since it is stated by the learned counsel for the Petitioners that the Petitioners are aged persons and the case is year old one, so also the Petitioners are ready and willing to cooperate with the trial, they may be directed to be released on bail on his surrendering, this Court directs that if the Petitioners surrender and move for bail in the aforesaid case before the Court in seisin over the matter within six weeks hence, the Court in seisin over the matter shall release them on bail on such terms and conditions as deemed just and proper including the condition that they shall cooperate with the trial in the aforesaid case.

(S. Pujahari)
Judge

DA