

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1100 of 2015

Jnanaranjan Pradhan

.... **Petitioner**
Mr. Anirudha Das and
Mr.P. Pattnaik, Advocates

-Versus-

Nityananda Pati

.... **Opposite Party**
Mr. N.K. Rath, Advocate

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
15.09.2022

Order No.

08.

1. Heard learned counsel for the petitioner and learned counsel for the opposite party.
2. Instant petition under Section 482 Cr.P.C. has been filed by the petitioner assailing the impugned order dated 7th January, 2015 passed by the learned S.D.J.M., Bhubaneswar in ICC Case No.3833 of 2014 on the grounds stated therein.
3. Learned counsel for the petitioner seeks an adjournment however learned counsel for the opposite party objects to the same contending that the ground so raised may be urged at the time of framing of charge. The complaint has been filed at the behest of the opposite party with the allegation of cheating by the petitioner. After having received the complaint from the opposite party, the learned S.D.J.M. Bhubaneswar proceeded with the matter in terms of Section 200 Cr.P.C. and held an enquiry and ultimately took

cognizance for the offences punishable under Sections 420/506/34 of IPC against the petitioner and others. In fact the enquiry was conducted by the learned court below and thereafter he took cognizance and summoned the accused persons.

4. In the facts and circumstances of the case, the Court is not inclined to interfere with the impugned order under Annexure-1. Consequently, the CRLMC stands dismissed. However, the petitioner is granted liberty to raise all such grounds at the time of framing of charge in ICC Case No.3833 of 2014 and in the event it is so urged, the learned S.D.J.M., Bhubaneswar shall do well to consider the same and pass appropriate order thereon and dispose of it as per and in accordance with law.

5. As a result, the interim order dated 3rd April, 2015 passed in Misc. Case No.700 of 2015 stands vacated.

(R.K. Pattanaik)
Judge

U.K.Sahoo