

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.348 of 2014

Sk. Nizzat & others.

....

Petitioners

-versus-

State of Orissa & others.

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

21.06.2022

Order No.

05.

1. This matter is taken up through Hybrid mode.
2. The petitioners in this application under Section 482 of the Code of Criminal Procedure (for short "Cr.P.C.") have prayed for quashing of the order dated 30.12.2013 passed by the learned ADCP-cum-Executive Magistrate, Cuttack UPD in Criminal Misc. Case No.1073 of 2013 directing the petitioners to appear in person and to submit show-cause as to why they shall not be ordered to execute a bond of Rs.5000/- each with one local surety for the like amount to keep peace in the locality for a period of six months.
3. Heard the learned counsel for the petitioners. None appears for the opposite parties.

4. It appears that the aforesaid is a notice to show-cause to the petitioners dates back to 30.12.2013 wherein he was asked to show-cause as to why they shall not be directed to execute a bond of Rs.5000/- each with one local surety for the like amount to keep peace in the locality for a period of six months. In the meanwhile more than nine years have elapsed and the proceeding has been stayed. Nothing untoward incidence in the meanwhile to have taken place is brought to the notice of this Court by the State. The self-life of a bond executed under Section 107 of Cr.P.C. to keep peace in the locality and not to disturb the public tranquility or to do any unlawful act is one year. As in the meanwhile more than nine years have elapsed and nothing untoward incidence has occurred, no useful purpose is going to be served in keeping such a stale matter alive.

5. Accordingly, this Court allow this CRLMC and consequently quash the impugned notice as well as the proceeding pending before the learned ADCP-cum-Executive Magistrate, Cuttack vide CRLMC No.1073 of 2013.

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

(S. Pujahari)
Judge

MRS