

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2740 of 2014

Paresh Ku. Samal & others* *Petitioners

-versus-

State of Orissa & another* *Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

04.04.2022

Order
No.

04.

1.This matter is taken up by Hybrid mode.

2. This application under Section 482 Cr.P.C. has been filed by the Petitioners for quashment of the FIR in connection with Khaira P.S. Case No.93 of 2014 corresponding to C.T. Case No.395 of 2014 pending in the court of J.M.F.C., Soro and the consequential proceeding. The offence alleged against the Petitioners is punishable under Sections 341/ 323/ 294/ 354(B)/ 506/ 34 IPC and Section 3 of the SC & ST (PA) Act.

3.Heard.

4.Learned counsel for the Petitioners submits that he does not want to press this petition but the Petitioners on surrendering before the court in seisin over the matter, they may be released on bail.

5.Considering the facts and the submissions made, nature of accusation and the punishment provided for the offence under

Section 506 IPC on conviction being seven years imprisonment, this Court is not inclined to quash the FIR.

6. Accordingly, this CRLMC stands dismissed.

7. However, this Court directs that if the Petitioners surrender before the learned Special Judge, (SC & ST), Balasore in connection with Special Case No.496 of 2016 within six weeks hence and make a motion for bail, the Court in seisin over the matter shall release them on bail in connection with the said case on such terms and conditions as it may deem just and proper.

8. Interim order passed earlier stands vacated. This order be communicated to the trial court immediately.

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

(S. Pujahari)
Judge

PKS