

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2502 of 2019

Budhiram @ Jagabandhu Nayak* *Petitioner
versus-
State of Odisha and another* *Opposite Parties

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
01.08.2022

06. 1. This matter is taken up through hybrid mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the order dated 7th March, 2018 passed by the learned Special Judge (S.C./S.T.), Balasore in Special Case No.158 of 2017.
3. Heard the learned counsel for the Petitioner and the learned counsel for the State-Opposite Party No.1. No one appears on behalf of the Opposite Party No.2 in spite of sufficiency of notice.
4. Petitioner has sought for quashment of the order of cognizance on the ground of compromise between the parties.
5. It appears that the Petitioner has committed offence under Section 294 of I.P.C. against Opposite Party No.2-Informant, who belongs to a scheduled caste community. As such, offence under Sections 3(1)(f)(g)(r)(s) of the S.C. & S.T. (PoA) Act has been added.

6. Since prima facie material available against the Petitioner, this Court is not inclined to quash the impugned order.

7. Accordingly, the CRLMC stands dismissed.

8. However, if the Petitioner surrenders before the Court in seisin over the matter within six weeks hence and make a motion for bail, the Court in seisin over the matter shall release him on bail in connection with the aforesaid case on such terms and conditions as it may deem just and proper.

9. Learned Special Judge (S.C./S.T.), Balasore is also directed to take up the aforesaid case expeditiously and dispose of the same not later than three months from the date of receipt of this order.

(S. Pujahari)
Judge

DA