

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2644 of 2019

Rusi @ Rushi Prasad Nahak Petitioner
Mr. T.K.Acharya, Advocate, Mr.J.K.Padhi, Advocate
Mr. A.Kamal, Advocate, Mr. S.Jena, Advocate
and Mr. P.K.Behera, Advocate

-Versus-

State of Odisha Opposite Parties
Mr. S.S.Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
23.11.2022

Order No.

01. 1. Heard learned counsel for the petitioner, Mr. Mohapatra learned counsel for the State and Mr. A.N.Pattanayak, learned counsel for the informant.
2. Instant petition under Section 482 Cr.P.C. is filed for quashing of the criminal proceeding in connection with G.R.Case No.157 of 2017 arising out of Delanga P.S. Case No. 70 of 2017 pending in the file of learned JMFC, Pipili on the grounds stated therein.
3. Learned counsel for the petitioner submits that in the meantime the investigation stands completed and chargesheet filed and NBWA has been issued against him which is pending execution and while not pressing the matter on merit, a prayer is made for a direction to the petitioner to surrender and released on bail subject to any conditions.
4. It is further informed to the Court by the learned counsel for the petitioner that the petitioner has already returned the amount of Rs.7,00,000/- to the informant in the meantime and while claiming so,

a copy of the demand draft for the said amount is produced before the Court for its perusal.

5. Mr. Pattanayak, learned counsel for the informant however contends that the petitioner has cheated many other individuals in the name of selling of lands and in that connection, the CID(CB) has lodged F.I.Rs.

6. Mr. Mohapatra, learned counsel for the State submits that since the investigation is completed, law should take its own course.

7. Considering the above facts and limited prayer of the learned counsel for the petitioner, CRLMC stands disposed of with a direction to the petitioner to surrender before the learned court of JMFC, Pipili on or before 14th December, 2022 in connection with G.R.Case No.157 of 2017 arising out of Delanga P.S. Case No. 70 of 2017 and in the event he surrenders within the time stipulated, the court below shall release him on bail subject to conditions.

8. Urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge