

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3448 of 2015

Nrusingha Kumar Behura

Petitioner

Mr. M.K. Panda, Advocate

-Versus-

State of Odisha and another

....

Opposite Parties

Mr. S.N. Das, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
12.08.2022

Order
No.

- 05.
1. Heard learned counsel for the petitioner and learned counsel for the State. None appears for O.P.No.2.
 2. The present petition under Section 482 Cr.P.C. is filed by the petitioner to quash the criminal proceeding in ICC No.185 of 2014 on the grounds stated therein.
 3. Learned counsel for the petitioner submits that the amount of Rs.2 lac has been paid back to the complainant, namely, O.P.No.2 and the same was deposited in the latter's account as revealed from Annexure-3 but despite that he has not come forward to admit the same in the Court as there was a direction for filing of a joint affidavit by the parties. However, it is submitted that the petitioner may be granted liberty to raise such ground while claiming discharge before the court below which would serve the purpose.

4. In view of the above submission, the CRLMC stands disposed of. The petitioner shall be at liberty to seek appropriate remedy at the time of framing of charge on the ground of payment of Rs.2 lac to O.P.No.2.

(R.K. Pattanaik)
Judge

TUDU

