

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2179 of 2022

Narayan Samal

....

Petitioner

Ms. Laxmi Sharma, Advocate

-Versus-

State of Orissa and others

....

Opposite Parties

Mr. Priyabrata Tripathy, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

13.09.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. has been filed at the behest of the petitioner with a prayer to direct opposite party No.7 to register a case on an application dated 4th August, 2022 treating the same as an FIR and proceed against the accused persons on the grounds stated therein.
3. It is submitted by learned counsel for the petitioner that an FIR was lodged but the same was not entertained by the local police and therefore, this Court indulgence is required. It is further submitted that a complaint was filed before the Magistrate and that again was not duly entertained. In fact, it is contended that a complaint has been filed before the Special Court (SC & ST), Cuttack registered as ICC No.13 of 2022 but some of the accused persons who are needed to be included have been left out. If that be so, it is

for the complainant to include such persons as accused in the complaint case and therefore, no direction is necessary.

4. In such circumstances, the CRLMC stands disposed of leaving it to the petitioner to move the concerned Special Court, if so advised to add such persons as accused in ICC No.13 of 2022. In the event any such application so moved, the same shall be considered by the court concerned as per and in accordance with law.

5. The learned counsel for the petitioner is allowed to make necessary correction as prayed for as it related to the case number claiming that ICC No.11 of 2022 should be mentioned as ICC No.13 of 2022 instead.

(R.K. Pattanaik)
Judge

U.K.Sahoo

