

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2256 of 2022

Samitra Kunda

.... Petitioner  
Mr. S.K.Zafrulla, Advocate

-Versus-

State of Odisha

.... Opposite Party  
Mr. S.S.Mohapatra, ASC

CORAM:  
JUSTICE R.K.PATTANAİK

Order No.

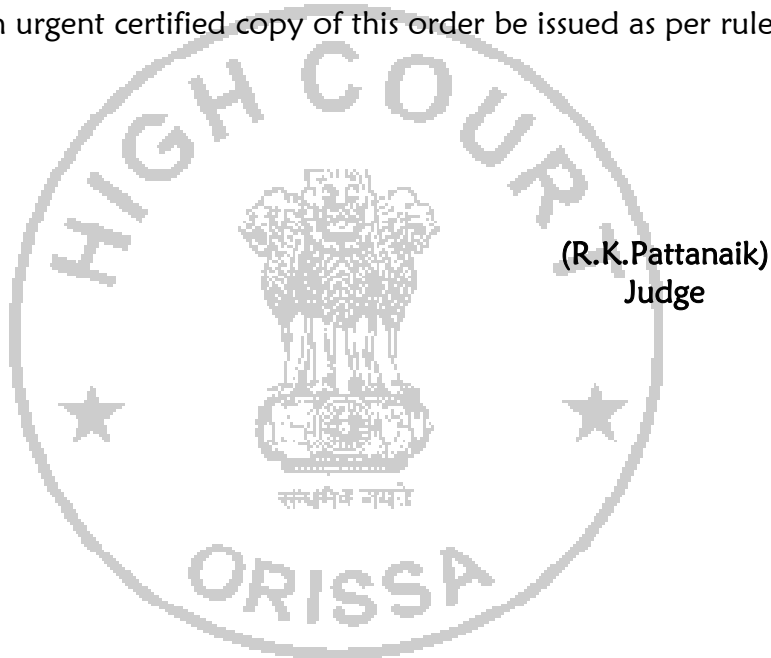
ORDER  
05.09.2022

- 02.
1. Heard learned counsel for the petitioner and learned counsel for the State.
  2. Instant petition under Section 482 Cr.P.C. is filed assailing the entire criminal proceeding and also the consequential order of cognizance dated 5<sup>th</sup> November, 2021 passed in G.R. Case No. 351 of 2020 arising out of Rajkanika P.S. Case No. 206 of 2020 pending in the file of learned J.M.F.C., Aul on the grounds stated therein.
  3. Perused the impugned order i.e. Annexure-3 and other connected documents.
  4. Learned counsel for the petitioner while not pressing the matter on merits states that the petitioner is the husband and in so far as offence under Section 313 IPC is concerned, it has been deleted while filing the charge sheet, whereupon, the learned court below has taken cognizance of the remaining offences under Sections 498A/323/294/506/406/341/34 IPC and Section 4 of D.P.Act. It is submitted that considering the allegations in the complaint i.e. Annexure-1, the petitioner may be directed to surrender before the learned court below since NBWA has been issued against him in the meantime.

(R.K.Pattanaik)  
Judge

**I.A. No. 1793 of 2022**

1. The Court is not inclined to stay the further proceeding in G.R. Case No. 351 of 2020. However, the petitioner is directed to surrender before the court below in G.R. Case No. 351 of 2020 arising out of Rajkanika P.S. Case No. 206 of 2020 pending in the file of learned J.M.F.C., Aul on or before 21<sup>st</sup> September, 2022 and in the event of his surrender, the court shall release him on bail subject to conditions.
2. An urgent certified copy of this order be issued as per rules.



Kabita