

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPCRL No.93 of 2020

Sarbeswar Jena

....

Petitioner

Mr. Prasanta Kumar Nanda, Advocate

-versus-

State of Odisha and Others

....

Opposite Parties

Mrs. Saswata Patnaik, Advocate

CORAM:

SHRI JUSTICE S. TALAPATRA

SHRI JUSTICE B. P. ROUTRAY

ORDER

4.7.2022

Order No.

17.

1. The matter is taken up through Hybrid mode.
2. Heard Mr. P.K. Nanda, learned counsel appearing for the Petitioner as well as Mrs. S. Patnaik, learned Additional Government Advocate (AGA) appearing for Opposite Party – State.
3. Mrs. Patnaik, learned AGA has submitted that the Superintendent of Police (SP), Puri has filed an affirmed statement in compliance of the orders dated 1st December, 2021 and 24th June, 2022. From the said statement it surfaces that the girl who was alleged to have been kidnapped by the Respondent No.5, has been rescued on 26th June, 2022 and was found to have married the Respondent No.5. It has been asserted by the police that her date of birth being 22nd August, 2003 as per the school admission register, on the date of rescue she was major as attained the majority on 21st August, 2021. It has further been asserted in the said statement that the Respondent No.5 has married the girl.

4. The statement of the *so-called* victim has been recorded under Section 164 of the Cr.P.C. A copy of the said statement recorded U/s.164 of the Cr.P.C. is made part of the said affidavit. From the said statement as recorded U/s.164 of the Cr.P.C. it clearly appears that there is no occurrence of kidnapping though on the date of elopement the girl was minor. But in the course of time, she turned major and married the Respondent No.5. The girl has stated that both she and the Respondent No.5 have been leading a peaceful conjugal life.

5. Mr. Nanda, learned counsel appearing for the Petitioner has submitted that in view of the above revelation, this proceeding may be closed.

6. Accordingly, this proceeding stands closed and disposed of.

(S. Talapatra)
Judge

(B.P. Routray)
Judge