

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2272 of 2022

Janmejaya Sahoo

.... Petitioner
Mr. B. Mohanty, Advocate

-Versus-

State of Odisha

.... Opposite Party
Mr. S. Mishra, ASC

CRLMC No.2282 of 2022

Suryakant Sahoo @ Bisika and Another

.... Petitioners
Mr. B. Mohanty, Advocate

-Versus-

State of Odisha

.... Opposite Party
Mr. S. Mishra, ASC
Mr. R.N. Mohanty, Advocate for O.P. No.2

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
23.11.2022

Order
No.
04.

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. In CRLMC No.2272 of 2022, neither AD nor unserved notice returned from opposite party No.2 whereas in CRLMC No.2282 of 2022, Mr. R.N. Mohanty, learned advocate has entered appearance for the informant. The CRLMCs have been filed by the husband and in-laws of opposite party No.2 whose appearance is still awaited.

3. Learned counsel for the petitioners (in both the cases) submits that he received instructions that G.R. Case No.58 of 2022 pending in the file of learned J.M.F.C., Ranpur has in the meantime been committed to the learned Sessions court for enquiry and trial. It is further submitted that since commitment of the case has taken place, while not pressing the matters on merit, learned counsel for the petitioners submits that liberty should be granted to them to claim discharge before the learned Sessions court which would rather serve the purpose.

4. Mr. Mishra, learned counsel for the State submits since commitment has already been ensured, CRLMCs may be disposed of accordingly as the relief prayed for has become infructuous.

5. Considering the limited prayer of the learned counsel for the petitioners, CRLMCs stands disposed of with a liberty granted to the petitioners to raise all the grounds as available to them under law at the time of framing of charge before the learned Sessions court corresponding to G.R. Case No.58 of 2022 of the file of learned J.M.F.C., Ranpur and in the event, any such application so moved with jointly or separately, the same shall be considered by the court seisin over the matter and pass appropriate orders thereon as per and in accordance with law.

6. Urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge