

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1858 of 2016

Nishamani Pattnaik @ Khir

....

Petitioner

Mr. P.K. Das, Advocate

-Versus-

State of Orissa

....

Opposite Party

Mr.S.S. Mohapatra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

19.09.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner challenging the order of cognizance dated 14th March, 2016 passed by the learned S.D.J.M., Jagatsinghpur in G.R. Case No.1312 of 2015 corresponding to Tirtol P.S. Case No.324 of 2015 (now the case is transferred to the court of learned J.M.F.C., Tirtol on the grounds stated therein.

3. Learned counsel for the petitioner instead of pressing the matter on merits submits that liberty should be granted to the petitioner to raise all such grounds at the time of framing of charge which would rather serve the purpose.

4. Considering such submission, the CRLMC stands disposed of with a liberty granted to the petitioner to raise all the grounds at the time of framing charge before the learned J.M.F.C., Tirtol in G.R. Case No.1312 of 2015 which corresponds to Tirtol P.S. Case No.324

of 2015 and on being so urged, the court below shall consider the same and pass appropriate order as per and in accordance with law.

5. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

U.K.Sahoo

