

IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(CRL) No.77 of 2022

Naba Sahu

....

Petitioner

Mr. Manoranjan Acharya, Advocate
Versus

1. State of Odisha

....

Opposite Parties

2. Kalpana Sahu

3. Ganesh Sahu

Mr. S.S. Pradhan, AGA

CORAM:

JUSTICE SAVITRI RATHO

ORDER

22.09.2022

Order No.

01.

(Through hybrid mode)

1. Heard Mr. Manoranjan Acharya, learned counsel for the petitioner and Mr. S.S. Pradhan, learned Additional Government Advocate.
2. This application under Section 407 of the Cr.P.C. has been filed by the petitioner (accused /opposite party therein) for transfer of G.R. Case No. 98 of 2017 and C.M.C. No. 34 of 2018 from the Court of learned J.M.F.C., Daspalla, to the Court of learned S.D.J.M., Nayagarh.
3. The Court of the learned J.M.F.C., Daspalla and the learned Court of learned S.D.J.M., Nayagarh are both under the Court of the learned Sessions Judge, Nayagarh , but no application has been filed in the said Court , before approaching this Court. In view of the proviso to Section 407(2) of Cr.P.C., the TRP(CRL) is not maintainable in this Court .
4. One application has been filed for transfer of two different case cases, but it is not necessary to go into that aspect now, as the application is not being entertained.
5. The TRP(CRL) is accordingly dismissed as not maintainable .
6. Urgent certified copy of this order be granted as per rules.

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(Savitri.Ratho)
Judge

