

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2067 of 2021

**Saroj Kumar Ojha @
Saroj Ojha and others**

...

Petitioners

Mr. S.R.Mohapatra, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P.Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.01.2022

Order No.

1.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the parties.
3. Learned counsel for the petitioner submits that the deceased committed suicide and there is absolutely no material to show that the petitioners had abated the same. Referring to the Charge Sheet, it is submitted that on the night of the occurrence, the husband of the deceased was intoxicated and found his wife hanging from the ceiling when he woke up in the morning. Learned counsel has also referred to the postmortem report and the deposition of the autopsy surgeon, who was examined as P.W.8 in this case to fortify his argument that, the death of the deceased is only due to suicide.
4. Learned Additional Standing Counsel for the State has argued that the question of involvement of the accused persons in the alleged occurrence can only be ascertained in

course of the trial, which is presently going on.

5. Having regard to the submissions as above and the fact that a reading of the Charge Sheet and other materials on record, shows that a prima facie case exists against the petitioners, this Court finds no infirmity or irregularity committed by the learned trial Court in framing charge against the accused persons for the alleged offences.

6. In view of the above, I am not inclined to entertain this CRLMC, and accordingly the same is dismissed.

7. It is, however, made clear that this Court has not expressed any opinion with regard to the merits of the case and therefore, the trial Court shall proceed with the case without being influenced by any observation made in this order.

(Sashikanta Mishra)
Judge

A.K. Dhal

