

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3240 of 2022

Ganeswar Palei

Petitioner

Mr. M.R. Mohapatra, Advocate

-Versus-

State of Odisha

.... Opposite Party

Mr. T.K. Praharaj, SC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER
21.11.2022

Order
No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the opposite party-State.
2. The limited prayer of the petitioner is for early disposal of the case in S.T. Case No.41/107 of 2019 pending before the court of learned CJM, Kendrapara on the grounds stated therein.
3. Learned counsel for the petitioner submits that the trial is in progress and so far 4 to 5 prosecution witnesses have been examined but the informant is avoiding to depose in the court, as a result of which, the trial has been delayed. It is further submitted that since there is inordinate delay in closure of trial, a direction may have to be issued to the learned below to expedite it.
4. Mr. Praharaj, learned counsel for the State submits that the court may issue any direction as deem just and appropriate in the facts and circumstances of the case.
5. The matter is of the year 2019. As per the pleading and submission of leaned counsel for the petitioner, only 4 to 5

witnesses from the side of the prosecution have been examined so far and due to the directory tactics of the informant, there has been considerable delay and hence, a direction is absolutely necessary to expedite the trial and ensure its completion at the earliest.

6. Considering the above facts and nature of offences alleged and the fact that the petitioner happens to be the father-in-law aged about 80 years and taking into account the stage of trial as so far only 4 to 5 prosecution witnesses stood examined ever since 2019, the Court is of the view that a direction is indeed necessary for the learned court below to expedite the trial.

7. Accordingly, it is ordered.

8. In the result, CRLMC stands disposed of with a direction to the learned CJM, Kendrapara to expedite and complete the trial in connection with S.T. Case No.41/107 of 2019 as soon as possible preferably with a period of next six months unless there is any legal impediment.

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

(R.K. Pattanaik)
Judge