

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3247 of 2022

Aru@ Arshanta Senapati

....
Petitioner
Mr. Arijeet Mishra, Advocate

-Versus-

State of Orissa

....
Opposite Party
Mr. T.K. Praharaj, SC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
01.12.2022

Order No.

- 02.
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 for quashing of the order of cognizance dated 26th May, 2020 passed by the learned S.D.J.M., Angul in G.R. Case No.1593 of 2018 in connection with Angul P.S. Case No.617 of 2018 on the grounds stated therein.
 3. Mr. Mishra, learned counsel for the petitioner refers to the circumstances leading to the lodging of the report and also the nature of allegations contained in the FIR as at Annexure-1 and a copy of the chargesheet, which is at Annexure-2, this Court would find that no case is made out and therefore, the criminal proceeding is not tenable in the eye of law, which is objected to by learned counsel for the State.
 4. Perused the FIR and chargesheet.

5. Considering the fact that the contention is based on facts which needs to be examined through enquiry and trial, the Court is not inclined to quash the proceeding pending before the learned court below.

6. Mr. Mishra, learned counsel for the petitioner submits that since the other accused persons have been granted bail and as the Court is not inclined to quash the proceeding, the petitioner may be granted liberty to surrender and released on bail subject to conditions.

7. Considering the above limited prayer, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned S.D.J.M., Angul on or before 20th December, 2022 in G.R. Case No.1593 of 2018 in connection with Angul P.S. Case No.617 of 2018 and in the event he surrenders, the court below shall release him on bail with conditions keeping in view the facts and circumstances of the case.

8. Issue urgent certified copy of this order on proper application.

(R.K. Pattanaik)
Judge

U.K.Sahoo