

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLREV No.538 of 2021

Tapan Kumar Biswal and Ors. ***Petitioners***

Mr. Prasanta Kumar Sahoo, Adv.

-versus-

State of Odisha

.... ***Opp. Parties***

Mr. K. Gaya, ASC

CORAM:
JUSTICE S.K. PANIGRAHI

ORDER
07.01.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. This criminal revision has been filed by the petitioners challenging the order dated 09.12.2021 passed by the learned Sessions Judge, Angul in C.T.(S) No.74 of 2004 rejecting their petition under Section 311 of the Cr.P.C. to recall the doctor conducting post mortem.
4. It appears that the petitioners being indicted in the aforesaid case filed a petition under Section 311 of the Cr.P.C. for recalling of the doctor conducting post mortem (P.W.9) which was rejected vide the impugned order.
5. The impugned order rejecting application under Section 311 of the Cr.P.C. is an interlocutory order and the same is not revisable. Therefore, the CRLREV filed by the petitioners is

not maintainable in view of bar contained in Section 397(2) of the Cr.P.C.

6. Accordingly, the CRLREV is dismissed.

(S.K. Panigrahi)
Judge

BJ

