

(2022) 02 OHC CK 0213

In the Orissa High Court

Case No : Criminal Appeal No. 320 Of 2021

Himadri Malaya Mangaraj @ Raju

APPELLANT

Vs

State Of Orissa

RESPONDENT

Date of Decision : 25-02-2022

Acts Referred:

Code of Criminal Procedure, 1973 — Section 164, 202
Indian Penal Code, 1860 — Section 34, 211, 341, 354B, 376, 511
Protection of Children from Sexual Offences Act, 2012 — Section 6, 8
Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 —
Section 3(1)(w), 3(2)(v)(va)

Citation : (2022) 02 OHC CK 0213

Hon'ble Judges : A.K.Mohapatra, J

Bench : Single Bench

Advocate : S.K. Dalai, K.K. Nayak, S.L. Pattanaik

Final Decision : Allowed

Judgement

A.K.Mohapatra, J

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

Heard learned counsel for the Appellant, learned counsel for the State-Respondent No.1 and learned counsel for the Informant-Respondent no.2.

2. It is submitted by learned counsel for the Appellant that the matter has been amicably settled between the Petitioner and the Informant, which is supported by learned counsel for the Informant. An affidavit dated 8.2.2022 to that effect has been filed in Court today, which is taken on record.

3. In such view of the matter, learned trial court is directed to again record the statement of the victim girl under Section 164 Cr.P.C. as expeditiously as possible, preferably within a period of ten days hence. The IIC of the concerned police station is also directed to facilitate recording of the statement of the victim girl and shall ensure that the victim girl appears in court on the date fixed by the

trial court upon production of copy of this order.

5. Let a copy of the statement recorded under Section 164 Cr.P.C. be forwarded to this Court for further order in the matter.

6. List this matter in the week commencing 14.03.2022.

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