

(2022) 11 OHC CK 0081
In the Orissa High Court
Case No : CRLMC No. 2510 Of 2022

Saida Bibi @ Saiba Bibi And Others

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 10-11-2022

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 302

Citation : (2022) 11 OHC CK 0081

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : M.K.Chand, D.Nayak

Judgement

Savitri Ratho, J

1. This application under Section 482 of Cr.P.C. has been filed by the petitioners for quashing of the investigation in Banpur P.S. Case No.43 of 2022 corresponding to G.R. Case No.38 of 2022 in the Court of learned J.M.F.C., Banpur.

2. Mr. Chand, learned counsel for the petitioners submits that the F.I.R. dated 5.2.2022 has been registered on the allegation of one Ansar Ali, the brother of the deceased and after investigation, the police has submitted charge sheet dated 4.6.2022 against the co-accused-Sk.Amir while keeping the investigation open against the petitioners and five months have been elapsed in the meanwhile and no progress has been made in the investigation. He further submits that even accepting the allegations to be true, the offence under Section 302 I.P.C. has not been made out against the petitioners.

3. Mr. Nayak, learned Additional Government Advocate is directed to obtain the case diary.

4. List this matter in the week commencing 28th November, 2022.

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