

(2024) 04 OHC CK 0024
In the Orissa High Court
Case No : CRLREV No. 44 Of 2019

Sreekanta Kumar Barik

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 03-04-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 161, 164

Citation : (2024) 04 OHC CK 0024

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : Asok Mohanty, Sk. Zafarulla, S. Mishra

Final Decision : Disposed Of

Judgement

Savitri Ratho, J

1. Heard Mr. Asok Mohanty, learned Senior Counsel for the petitioner.
2. In this Criminal Revision the order dated 06.09.2018 passed in S.T. Case No. 5/3 of 2016 by the learned 1st Addl. Sessions Judge, Puri (Annexure-3) rejecting the application for discharge, has been challenged.
3. This Criminal Revision has been admitted on 14.03.2019 and this Court has observed that it is necessary to peruse the LCR so as to make an endeavour for disposal of the revision at the stage of admission. But no direction has been issued to call for the LCR.
4. Mr. Mohanty, learned Senior Counsel has placed the FIR, statement of the victim recorded under Section 161 of Cr.P.C. and statement recorded under Section 164 of Cr.P.C.
5. In view of the statements of the victim recorded under Section 164 of Cr.P.C., I am of the opinion that she should be heard before the matter is decided.
6. Hence issue notice to the victim-informant.

7. Requisites for issuance of notice to the informant through Registered Post with A.D shall be filed by tomorrow (04.04.2024). The notice shall be made returnable within three weeks.

8. List this case on 26.04.2024.

9. In the meanwhile, Registry is directed to call for the scanned copy of the LCR.

10. Registry is also directed to attach the down loaded/scanned copy of the SC & ST (PoA) Act, 1989 as it was before the 2015 amendment.

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