



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.929 of 2025

Babula Das & others

.... **Petitioners**

Mr.Dillip
Kumar
Mohanty,
Advocate

-versus-

State of Odisha & another

.... **Opp. Parties**

Mr.S.N.Biswal,
ASC

CORAM:

JUSTICE SIBO SANKAR MISHRA

Order
No.

ORDER
26.03.2025

01.

1. The petitioners have challenged the order dated 04.01.2025 passed by the learned JMFC, Salipur in 1.C.C. Case No.163 of 2024 on the ground that the complainant in the complaint has cited as many as six witnesses. However, only one witness besides the complainant has been examined in the present case. One of the offences, for which the cognizance has been taken, is triable by the Court of the Sessions. Therefore, the law mandates that the complainant needs to examine all the witnesses cited by him in the complaint.



2. Issue notice.
3. Mr. Biswal, learned Additional Standing Counsel appearing on behalf of the opposite party No.1-State waives the notice.
4. Issue notice to the opposite party No.2 by Registered Post with A.D./Speed Post with A.D. Requisites shall be filed by tomorrow.
5. List this matter five weeks after.
6. In the meantime, the petitioners may move appropriate application before the trial Court seeking adjournment in the matter owing to the fact that the present matter is pending subjudice before this Court. If such application is filed by the petitioners, the same shall be considered.

(S.S. Mishra)
Judge

Subhasis

Signature Not Verified

Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 26-Mar-2025 18:55:13

