

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4811 of 2015

Kapil Kaushal

....
Mr. Milan Kanungo, Sr. Advocate

Petitioner

-Versus-

State of Orissa

....
Mr. S.S. Mohapatra, ASC

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
19.09.2022

Order No.

- 15.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. It is informed to the Court that since the name of Mr. Bibekananda Bhuyan, learned counsel for the OPID does not appear in the cause list, he has been absent today.
 3. It is therefore directed that the name of Mr. Bhuyan for the OPID be reflected in the brief as well as in the cause list.
 4. Mr.Kanungo, learned Senior Advocate for the petitioner submits that petitioner is neither a Director nor a share-holder of the company in question and that apart, the prosecution under Sections 4, 5 and 6 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978 is not maintainable since because by the time the FIR was lodged, the said Act has not come into force. The Court is inclined to have a response from Mr. Bhuyan, learned counsel appearing for the OPID who may be required to submit a reply to the above contention of Mr. Kanungo as well as other grounds which have urged.

5. List this matter on 28th October, 2022.
6. Interim order passed earlier shall continue till the next date.

(R.K. Pattanaik)
Judge

U.K.Sahoo

