



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2852 of 2025

Fakan@Phakuna Chandra Das

.....

Petitioner

Represented By Adv. –
Mr. Jayakrishna
Mohapatra

-versus-

State of Odisha

.....

Opposite Party

Represented By Adv. –
Ms. Babita Kumari Sahu,
AGA

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
11.08.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the parties and perused the records.
3. The present Criminal Miscellaneous Case has been filed by the Petitioner with a prayer to quash the F.I.R. arising out of Chandbali P.S. Case 38 of 2025, corresponding to G.R. Case No.69 of 2025, pending before the court of the learned J.M.F.C., Chandbali.
4. Learned counsel for the Petitioner, at this juncture, submitted that the Petitioner does not want to press this application and seeks permission to withdraw the same with liberty to raise all the points at the time of framing of charge by filing an application of discharge.
5. Considering such submission, this CRLMC stands disposed of as withdrawn with the liberty as sought for, with a direction to the



Court in seisin over the matter to consider the discharge application of the Petitioner, if filed, in accordance with law and the same shall be disposed of by passing a reasoned order.

6. Further, taking into consideration the submission made by the learned counsel for the Petitioner, it is directed that if the Petitioner surrenders in the aforesaid case in the first hour before the court of the learned J.M.F.C., Chandbali within four weeks hence and makes a motion for bail, the learned J.M.F.C., Chandbali shall consider and dispose of the same strictly on the basis of the materials on record in the first hour. In case of rejection of the bail application, the Petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable.

7. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

Debasis

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 12-Aug-2025 17:03:31

