

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1816 of 2020

Sri Susant Pujari

....
Mr. Subir Palit, Sr. Advocate

Petitioner

-Versus-

State of Odisha

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

Opposite Party

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
12.09.2022

Order No.

- 08.
1. Heard learned senior counsel Mr. Palit appearing for the petitioner and Mr. Mohapatra, learned ASC for the State.
 2. Instant petition under Section 482 Cr.P.C. is filed by the petitioner for quashing of the proceeding in G.R. Case No. 2806 of 2009 arising out of Airfield P.S. Case No. 156 of 2009 pending in the file of learned SDJM, Bhubaneswar on the grounds stated therein.
 3. Mr. Palit learned senior counsel for the petitioner submitted that the petitioner does not have any role to play rather purchased the vehicle being refinanced but he has been entangled in the case by the local police later to the lodging of the F.I.R. pursuant to which Airfield P.S. Case No. 153 (9) of 2009 was registered under Sections 467/468/471/420 read with 34 of IPC. It is further submitted that if at all any mischief has been committed, it was apparently by the seller namely, Debi Prasanna Padhi, who sold the vehicle in favour of Ms. Suchismita Das and therefore, no case is made out against the petitioner who, in fact, in the meantime cleared the dues which was payable to

the TATA Finance and in that connection, refers to the series of documents under Annexure-4.

4. It is further submitted by Mr. Palit that all the relevant documents with regard to the refinance and payment of dues were submitted before the I.O. but keeping the same aside, the charge sheet was filed. At this juncture, Mr. Mohapatra submits that instead of the informant may be summoned. The court also agrees that, the TATA Finance being a necessary party should be noticed so as to have its response regarding the nature of involvement vis-à-vis the petitioner.

5. Issue notice to the TATA Finance through a special messenger subject to payment of costs. Cost be deposited within two days.

6. List this matter on 29th September, 2022.

7. Interim order passed earlier shall continue till the next date.

8. An urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge