



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.5251 of 2025

Rinku Taria

.....

Petitioner

Represented By Adv. -
Bibhuti Ranjan Mohanty

-versus-

State Of Odisha

.....

Opposite Party

Represented By Adv. -
Ms. S.Nayak, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA
ORDER
11.12.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the records.
3. The present application has been filed by the Petitioner with a prayer to quash the entire criminal proceeding arising out of 2(a) C.C. Case No.18 of 2024 in connection with District Mobile Squad, Boudh P.R. No.39 of 2024-2025, pending before the Court of learned Sessions Judge-cum-Special Judge, Boudh.
4. Learned counsel for the Petitioner at this juncture contended that he does not want to press this application with liberty to raise the point at the time of framing of charge by filing a discharge petition. He further submitted that the Petitioner be permitted to surrender before the Court below and move an application for bail.
5. Considering the submissions made by the learned counsel for



the Petitioner, the application is disposed of as not pressed with liberty as prayed for.

6. Further, taking into consideration the submissions made by the learned counsel for the Petitioner that the Petitioner has not been named in the F.I.R. and has been added as an accused later as owner of the motor cycle which was involved in the alleged crime. He further contended that no contraband articles have been recovered from conscious and exclusive possession. Therefore, the bar under Section 37 of the NDPS would not be attracted to the facts of the Petitioner's case.

7. However, without expressing any opinion on the merits of the matter, it is directed that in the event the Petitioner surrenders before the Court in seisin over the matter within a period of three weeks from today and moves an application for bail, the Court in seisin over the matter shall consider and dispose of the present application of the Petitioner in accordance with law on the same day, taking into consideration the fact that the bar under Section 37 of the N.D.P.S. Act would not be attracted to the facts of the present case. The Case Diary be made available to the concerned court to facilitate disposal of the present application of the Petitioner.

8. Accordingly, the CRLMC is disposed of.

Urgent certified copy of this order be granted as per rules.

(Aditya Kumar Mohapatra)
Judge