

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No. 14 of 2024

Evos Buildcon Pvt. Ltd.

....

Petitioner

Mr. A.K. Budhia , Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

31.01.2024

CRLMA No. 14 of 2024 and I.A. No.9 of 2024

Order No.

01. 1. Heard learned counsel for the Petitioner-Informant and learned counsel for the State.
2. This is an application under Section 439(2) of Cr.P.C. for cancellation of bail granted to the Opposite Party No.2 by this Court by order dated 30.11.2023 in BLAPL No.12661 of 2023. The said Opposite Party No.2 is admittedly in custody.
3. The Informant is seeking cancellation of bail on the ground that the property surety, as furnished in terms of the order passed by this Court was forged one.
4. It is seen from the order dated 22.01.2024 that the learned Court in seisin taking into account the alleged forgery of documents has directed for necessary action to be initiated under the penal code and the extract of the order has been sent to the Superintendent of Special Jail, Bhubaneswar with liberty to the Investigating Officer to seize the original documents kept with the said Court after obtaining due permission and granted liberty to the accused

person to file fresh property surety in terms of the order passed by this Court dated 22.01.2024.

5. Taking note of the same, since the Opposite Party No.2 is in custody and the learned Court in seisin has already taken steps in accordance with law vis-à-vis the grievance of the informant, for which this CRLMA has been filed, in the considered view of the Court the case at hand does not warrant exercise of jurisdiction under Section 439(2) of the Cr.P.C.

6. Accordingly, the CRLMA stands disposed of.

7. In view of the disposal of the CRLMA, I.A stands disposed of.

(V. NARASINGH)
Judge



Santoshi

Signature Not Verified

Digitally Signed
Signed by: SANTOSHI LENKA
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 01-Feb-2024 13:54:35

