

Chaitali Mishra vs State Of Odisha Opp. Party on 12 December, 2023

Author: Chittaranjan Dash

Bench: Chittaranjan Dash

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No. 4655 of 2023

Chaitali Mishra	Petitioner
	Mr. S.K. Das, Advocate	
	-versus-	
State of Odisha	Opp. Party
	Mr. S.R. Roul, ASC	

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER

Order No. 12.12.2023

02. 1. Heard learned counsel for the Petitioner and the State.

2. By means of the present application, the Petitioner seeks the indulgence of this Court praying to set aside the impugned order dated 01.09.2023 passed by learned 2nd Addl. Sessions Judge, Cuttack under Annexure-3.

3. According to learned counsel for the Petitioner, the Petitioner is facing the charge U/s. 420/173/34 of IPC R/w. Section. 51/52/53/59 of the Food Safety And Standards Act, 2006 pursuant to the P.S. Case No.93 of 2022 registered against G.R. Case No.655 of 2022 before the learned J.M.F.C, (Cog. Taking), Cuttack. According to learned counsel for the Petitioner, the Petitioner was running her unit for marketing of the articles at rented premises since 10.09.2018 and the same is lying under lock after registration of the FIR. It is further submitted by learned counsel for the Petitioner that // 2 // all the articles and belongings in the premises have been seized and is in the custody of the investigating authority and there is no reason in keeping the premises under lock and key which is admittedly a rented premises and the Petitioner is unnecessarily paying charges against the same.

4. The learned counsel for the State on the other hand upon instructions from the investigating agency in that regard it is submitted that the premises in question is not required for the purpose of investigation. In view of the above submissions of the learned counsel for the State the premises if under lock be opened and handed over to the Petitioner, if required upon execution of such documents as required under law, by the authority at whose instance the same was seized for the use of the premises. The entire exercise shall be completed within two weeks hence.

5. A free copy of this order be supplied to the learned counsel for the State for compliance.
6. With the above, the CRLMC stands disposed of accordingly.

(Chittaranjan Dash) Judge Bijay Location: HIGH COURT OF ORISSA