



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2161 of 2026

Arun Kumar

..... *Petitioner (s)*
Mr. Bibekananda Behera, Adv.

-Versus-

State of Odisha

..... *Opposite Party (s)*
Mr. Raj Bhushan Dash, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

10.07.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. In the present CRLMC, the Petitioner has challenged the order dated 12.05.2026 passed by the learned District and Sessions Judge, Rayagada in Criminal Revision Petition No.07 of 2025, arising out of the order dated 11.05.2024 passed by the learned S.D.J.M., Rayagada in G.R. No. 381 of 2021
3. Heard learned counsel for the parties.
4. Learned counsel for the Petitioner submits that, being aggrieved by the impugned order dated 11.05.2024 passed by the learned S.D.J.M., Rayagada in G.R. No.381 of 2021, the Petitioner had preferred Criminal Revision Petition (Cr.R.P.) No.07 of 2025 before the learned District & Sessions Judge, Rayagada, along



with an application under Section 5 of the Limitation Act seeking condonation of the delay of 410 days in filing the revision. It is further submitted that the learned District & Sessions Judge, Rayagada, vide order dated 12.05.2026, rejected the application for condonation of delay, thereby declining to entertain the revision petition. Being aggrieved by the said order rejecting the delay condonation application, the Petitioner has approached this Court by filing the present petition.

5. Learned counsel for the Petitioner further contends that the Petitioner is a permanent resident of the State of Bihar, which is situated more than 1,000 kilometres away from Rayagada. Owing to such distance, the Petitioner could neither receive timely information regarding the proceedings nor did he apprise of the progress of the case by his conducting counsel. He further submits that the Petitioner has made several attempts to contact the conducting counsel over telephone to ascertain the progress of the matter. However, the counsel is neither responding to the calls nor does he communicate any updates regarding the proceedings. Hence, the order dated 12.05.2026 passed by the learned Sessions Judge, Rayagada, rejecting the Petitioner's application, has resulted in a grave miscarriage of justice.
6. In view of the aforesaid facts and the submissions made, this Court is of the opinion that, since the Petitioner is a resident of



the State of Bihar, which is situated more than 1,000 kilometres away from Rayagada, it is not feasible for him to make regular appearance before the court below. Accordingly, the order dated 12.05.2026 passed by the learned Sessions Judge, Rayagada, in Criminal Revision No. 7 of 2025 is hereby quashed. However, the Petitioner is granted liberty to file a protest petition before the court below in accordance with law.

7. Accordingly, the CRLMC is disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Murmu

Signature Not Verified

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