

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3648 of 2010

Arjun Naik

• • • •

Petitioner

versus-

State and another

...

Opposite Parties

CORAM: JUSTICE S. PUJAHARI

ORDER

07.03.2022

Order

No.

07.

1. This matter is taken up through hybrid mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioner challenging the order dated 4th November, 2008 passed by the learned S.D.J.M., Bhawanipatna in C.M.C. No.50 of 2008, arising out of Criminal Misc. Case No.49 of 1988, wherein D.W. has been issued against him for levy of the maintenance ordered to be paid in a proceeding under Section 125 of Cr.P.C. vide order dated 11th August, 1999 in C.M.C. No.49 of 1988.
3. Since the Petitioner has not produced before the Court that the aforesaid order of maintenance was demolished and the same is subsisting, the prayer made by the Petitioner in this Criminal Misc. Case to quash the D.W. issued against him is devoid of merit.
4. Accordingly, the CRLMC stands dismissed.

5. However, liberty is given to the Petitioner to make a prayer before the appropriate court that he is ready and willing to pay the maintenance and in that event, the Court shall pass necessary order to allow the Petitioner to deposit the maintenance due in the said proceeding in suitable installments within a period of three months hence. Till then, the D.W. issued against the Petitioner shall not be executed.

(S. Pujahari)
Judge

DA

