

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.183 of 2022

Hemalata Jena

....

Petitioner

Mr. Satyanarayan Mishra-4, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.S. Pradhan, AGA

CORAM:
JUSTICE S.K. PANIGRAHI

ORDER

31.01.2022

Order No.

01. 1. The matter is taken up through video conferencing mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner has filed this application under Section 482 of the Cr.P.C. to quash the order dated 25.11.2021 passed by the learned Sessions Judge, Balasore in Sessions Trial Case No.89 of 2021 issuing N.B.W. against her.
4. Learned counsel for the petitioner submits that since the petitioner's counsel did not take any step nor informed about the posting of the case to her, the N.B.W. was issued against the petitioner on 25.11.2021.
5. Considering the aforesaid fact and the facts of the case, the petitioner is directed to surrender before the court in seisin over the matter in the aforesaid case within a period of fifteen days hence. On her surrender, the court in seisin over the matter shall grant her bail with some stringent conditions so as to ensure her

regular attendance on each date of posting of the trial. In addition, the petitioner shall deposit a sum of Rs.1,000/- (rupees one thousand only) as cost for non-compliance of the court's order. The said amount shall be deposited before the High Court Bar Associations Welfare Fund and copy of the said deposit shall be presented before the court in seisin over the matter.

6. In view of the above, the order of issuance of N.B.W. against the petitioner on 25.11.2021 in Sessions Trial Case No.89 of 2021 is quashed.

7. Accordingly, the CRLMC is disposed of.

8. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the Advocate concerned with his/her seal, in the manner prescribed vide Court's Office Order dated 7th January, 2022.

(S.K. Panigrahi)
Judge

PCD