

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.682 of 2022

Sushil Kumar Biswal

....

Petitioner

Mr. P.K. Sahoo, Advocate

-versus-

State of Odisha and another

.... ***Opposite Parties***

Mr. K. Das, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

13.05.2022

Order No.

01.

1. Since the copy has been served on learned counsel for the State, the defect is ignored.

2. Heard Mr. P.K. Sahoo, learned counsel for the Petitioner as well as Mr. K. Das, learned A.S.C. for the State-Opposite Party No.1.

3. The Petitioner has assailed the order dated 07.03.2020 passed by the learned S.D.J.M., Kamakhyanagar in 1CC Case No.54/2019 wherein the prayer of the Petitioner under Section 205, Cr.P.C. was rejected.

4. A complaint case, i.e. 1 C C Case No.54/2019 was filed before the learned S.D.J.M., Kamakhyanagar alleging offences under Sections 294/506/341/323, I.P.C. against the petitioner and the cognizance was taken for the aforesaid offences.

5. The Petitioner filed a petition under Section 205, Cr.P.C. praying for dispensing his attendance before the court on the

ground that presently he is serving as an Accountant in State Bank of India at Bhubaneswar, though during the time of occurrence he was at S.B.I., Kamakhyanagar Branch.

6. It is submitted on behalf of the Petitioner that he being the Accountant of the Bank and presently posted at Bhubaneswar, his attendance in the court on each date would hamper his official work and moreover, a false case has been foisted against him alleging such offences.

7. Considering the nature of allegations and status of the Petitioner as an Accountant of the Bank presently posted at Bhubaneswar which is more than 100 kms away from Kamakhyanagar, the prayer of the Petitioner to dispense him personally appearing before the court is allowed under Section 205, Cr.P.C. Learned S.D.J.M., Kamakhyanagar is directed to pass necessary orders subject to such conditions in the light of this order.

8. The CRLMC is accordingly disposed of.

9. An urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge