

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.718 of 2022

Sahajada @ Sahajad Allam *Petitioner*
-versus-
State of Odisha *Opposite Party*

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
22.07.2022

03. 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 with a prayer to quash the order dated 18th August, 2014 passed by the learned Additional Sessions Judge, Sundargarh in S.T. No.171/74 of 2013 wherein N.B.W.(A) has been issued against him.
3. Heard the learned counsel for the Petitioner and the learned counsel for the State.
4. It appears that the Petitioner has been indicted in a case triable by sessions procedure and released on bail. However, as it appears, on 18th August, 2014, the counsel for the Petitioner files a petition to represent the Petitioner along with a petition for time, but the same has been rejected. The case appears to be year old and split up one.

5. It is stated that on that date, time was sought for recording the statement of the accused on some other day, but N.B.W.(A) was issued without considering his difficulty, hence the impugned order be quashed.

6. However, N.B.W.(A) has been issued in the year 2014. The Petitioner, who was on bail, thereafter did not come forward and approach the trial court to recall the N.B.W.(A) with promptitude to show his bona fide though on bail nor did approach this Court early. Hence, he appears to have misutilized the liberty given to him.

7. In such premises, no fault can be found with the trial court for issuing of the N.B.W.(A) against the Petitioner.

8. Accordingly, this Criminal Misc. Case filed challenging the order of issuance of N.B.W.(A) is devoid of merit and, as such, the same stands dismissed.

(S. Pujahari)
Judge