

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 923 of 2020

Pragyan Priyadarsini Barik

Petitioner

Mr. A.K. Das 1, Advocate

-versus-

State of Odisha and another

Opposite Parties

Ms. S. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

22.03.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard, Mr. A.K. Das 1, learned counsel for the petitioner and Ms. S. Mishra, learned Additional Standing Counsel for the State.
3. Petitioner is aggrieved by the order dated 04.02.2020, passed by the Learned S.D.J.M, Bhadrak, in 1 CC Case No.274/2016, in which the petitioner has been cited as an accused and for whose non-appearance the learned Court below was constrained to issue non-bailable warrant of arrest. Assailing issuance of such NBW of arrest the present CRLMC has been filed.
4. Learned counsel for the petitioner states that the reason for default was unintentional and therefore, issuance of

NBW without giving another opportunity to the petitioner-accused is not warranted in the facts and circumstances of this case.

5. This Court prima facie does not find any infirmity in the order dated 04.02.2020 impugned herein. Yet to give an opportunity to the petitioner-accused to defend herself effectively, it is directed that on the petitioner's surrendering within a period of three weeks hence the learned Court below shall direct her release on bail. Terms to be fixed by the learned Court in seisin of the matter.

7. Since this order is passed without issuing the notice to the Opposite Party No.2, the complainant, liberty is given to the said opposite party to seek variance of this order.

8. No coercive action shall be taken against the petitioner in terms of the impugned order dated 04.02.2020 passed in 1 CC Case No.274 of 2016 on the file of learned S.D.J.M. Bhadrak for the period of two weeks.

8. The impugned order dated 04.02.2020 directing issuance of NBW is set-aside.

9. While being released on bail, it is directed that the petitioner shall furnish her mobile number and email I.D., if any.

10. The CRLMC is accordingly disposed of.

11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi