

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1069 of 2020

Nirmala Rout

....

Petitioner

Mr. Manoranjan Acharya, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM:

JUSTICE S.K. PANIGRAHI

ORDER

24.01.2022

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 19.05.2018 passed by the learned Gram Nyayadhikari-cum-JMFC, Odagaon in G.R. Case No.163 of 2016, arising out of Sarankul P.S. Case No.87 of 2016 issuing N.B.W. against her.
 4. Learned counsel for the petitioner submits that due to miscommunication between the petitioner and her conducting counsel, the petitioner could not appear on the date fixed. Hence, N.B.W. was issued on 19.05.2018.
 5. Considering the aforesaid submissions and the facts of the case, this Court is inclined to allow the CRLMC. Accordingly,

the order of issuance of N.B.W. against the petitioner on 19.05.2018 in G.R. Case No.163 of 2016 is quashed.

6. 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 such event, the said court shall grant her bail with some stringent conditions so as to secure her attendance on each date of posting of the case. In addition, the petitioner shall deposit a sum of Rs.5,000/- (rupees five 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.

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