

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1645 of 2022

Ganta Jayalaxmi @ Chandrama ***Petitioner***
Behera
-versus-
State of Odisha ***Opposite Party***

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
06.07.2022

01. 1. This matter is taken up through hybrid mode.
2. Heard the learned counsel for the Petitioner and the
 learned counsel for the State-Opposite Party.
3. This application under Section 482 of Cr.P.C. has been
 filed by the Petitioner with a prayer to quash the order dated
 25th March, 2021 passed by the learned Chief Judicial
 Magistrate, Paralakhemundi in G.R. Case No.240 of 2006
 wherein N.B.W.(A) has been issued against her.
4. It appears that the Petitioner, who has been indicted in
 the aforesaid case, was on bail and facing trial, but when the
 case was posted on 25th March, 2021, she did not appear before
 the Court below and no step was taken on her behalf on the date
 fixed, as such, N.B.W.(A) has been issued against her vide the
 aforesaid order to secure her attendance. However, the

Petitioner has challenged the same in this petition on the ground due to miscommunication between the Petitioner and her lawyer, she could not appear before the trial court on the date fixed.

5. The same can hardly be a ground to quash the order of N.B.W.(A).

6. Therefore, I see no illegality and infirmity in the impugned order. As such, the prayer made in this petition on the ground stated is devoid of merit.

7. Accordingly, the CRLMC stands dismissed.

8. However, it is open to the Petitioner to surrender before the Court in seisin over the matter within six weeks hence and if she surrenders and moves for bail, the Court in seisin over the matter shall consider and dispose of her bail application in course of the day taking into consideration the relevant facts and circumstances of the case.

(S. Pujahari)
Judge

DA