

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1673 of 2022

Surat Ch. Gouda @ Surat Chandra *Petitioner*
Gouda
-versus-
Gudula Nakula Raju *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
 23rd May, 2022 passed by the learned S.D.J.M., Rayagada in
 I.C.C. No.40 of 2017 wherein N.B.W.(A) has been issued
 against him.
4. It appears that the Petitioner having not complied with
 the order under Section 389(1) of Cr.P.C. in Criminal Appeal
 No.7 of 2022, N.B.W.(A) has been issued to procure his
 attendance to recommitting him to jail to undergone sentence.
 However, it is stated that the Petitioner in the meanwhile has
 deposited the amount vide Annexure-2 to this petition. As such,

he has sought for quashment of the N.B.W.(A) issued against him with a prayer to allow him to continue on bail in the terms and conditions as mentioned in the criminal appeal on being satisfied about the compliance of the order of deposits.

5. Considering the aforesaid facts and submissions made, this Court directs that the Petitioner to be allowed to continue on bail during pendency of the criminal appeal on such terms and condition as imposed by the appellate court on being satisfied about the compliance of the deposits of the money as ordered by the appellate court.

6. With the aforesaid order, this CRLMC stands disposed of.

7. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge

DA