

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMP No.1738 of 2022

Sulava Charan Samal *Petitioner*
Mr. Sanjit Kumar Das, Adv.
-versus-
State of Odisha and Anr. *Opposite Parties*
Mr. G.R. Mohapatra, ASC

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
19.12.2022
(I.A. No.425 of 2022)

06. 1. This matter is taken up through hybrid arrangement.
2. This I.A. has been filed by the Petitioner for modification of the order dated 24.11.2022 passed by this Court in CRLMP No.1738 of 2022.
3. Heard.
4. Learned counsel for the Petitioner submits that as in the ordering portion i.e. in paragraph 4 of the aforesaid order dated 24.11.2022 there is no mention to deposit of 20% of the compensation amount passed by the learned Additional Sessions Judge, Anandapur in Criminal Appeal No.8 of 2021 for release of the Petitioner, the Petitioner is unable to comply the order dated 24.11.2022. Therefore, the order dated 24.11.2022 may be modified

directing the trial court to release the Petitioner on deposit of 20% of compensation amount passed by the learned Additional Sessions Judge, Anandapur in Criminal Appeal No.8 of 2021.

5. In view of such facts and submissions made, prayer is allowed. The order dated 24.11.2022 passed in CRLMP No.1738 of 2022 so far it relates to payment of compensation amount to the complainant is modified to the extent that the Petitioner shall pay 20% of compensation amount i.e. Rs.1,00,000/- (rupees one lakh only). Accordingly, the existing paragraph-4 of the aforesaid order is modified and be read as "4. In such view of the matter, this Court grants one week time from today to the Petitioner for payment of 20% of compensation amount i.e. Rs.1,00,000/- (rupees one lakh only) to the complainant as directed by the court below. If the Petitioner fails to deposit the said amount within the time stipulated, no leniency shall be shown to the Petitioner."

6. This order shall be read as a part of the original order. All other parts of the original order shall remain unaltered.

7. This I.A. is disposed of.

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

(Dr. S.K. Panigrahi)
Judge

B.Jhankar

