

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2548 of 2022

Baldev Duria and others

....

Petitioner

Mr. Trilochan Nanda, Advocate

-Versus-

State of Orissa

....

Opposite Party

Mr. P.K. Rout, AGA

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

24.09.2022

Order No.

01.

1. Heard learned counsel for the petitioners and learned counsel for the State.
2. Instant petition under Section 482 Cr.P.C. is filed by the petitioners challenging the order of NBWAs dated 29th August, 2018 passed by the learned S.D.J.M., Nuapada in C.T. No.231 of 2017 arising out of Lakhana P.S. Case No.27 of 2017 on the grounds stated therein.
3. Perused the copy of the impugned order dated 29th August, 2018 as at Annexure-1 and copy of the FIR which as at Annexure-2.
4. Learned counsel for the petitioners submits that the petitioners were on bail but subsequently, NBWAs have been issued against them on 29th August, 2018 since they defaulted in appearance at the stage of recording of their statements under Section 313 Cr.P.C. under Annexure-1. Notwithstanding the default since the year 2008, the Court is of the view that the petitioners should be directed to surrender before the learned S.D.J.M., Nuapada so as to ensure recording of their statements at the earliest

which has been held up since 2008 and also to expedite disposal of the case by the court below. Accordingly, it is ordered.

5. In the result, the CRLMC stands disposed of with a direction to the petitioners to surrender before the court of learned S.D.J.M., Nuapada on or before 14th October, 2022 in C.T. No.231 of 2017 arising out of Lakhana P.S. Case No.27 of 2017 and in the event of their surrender, the court below shall release them on bail subject to condition and on the very same day to record their statements under Section 313 Cr.P.C. and effort shall be made to dispose of the case expeditiously.

6. An urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge

U.K.Sahoo

