

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2640 of 2022

Sadhana Dhal

....

Petitioner

Mr. Rabi Narayan Behera, Advocate

-Versus-

M/s. George Maijo Industries Pvt.Ltd. &
Another

Opposite Parties

Mr. S.S.Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
24.09.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. As submitted by the learned counsel for the petitioner, the petitioner was allowed to be exempted from personal attendance in terms of Section 205 Cr.P.C. but then, on the date fixed dated 29th January, 2020 due to his illness, he could not attend, as a result of which, the learned court below issued a NBWA against him.

3. Perused the impugned order which is at Annexure-1.

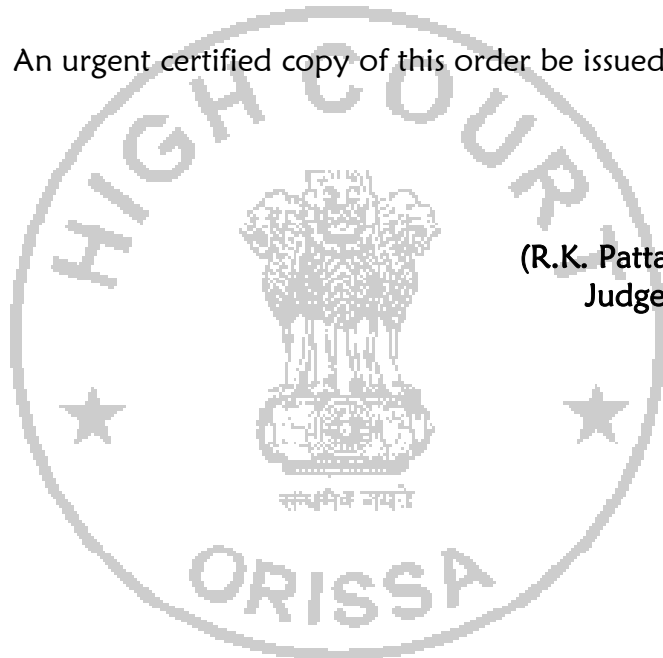
4. Considering the fact that the case pending before the court below is a proceeding under Section 138 of N.I.Act and the fact that the petitioner had been exempted as per Section 205 Cr.P.C. but it was on account of single default on the date fixed that the NBWA has been issued against him, the Court is of the view that he should be directed to surrender and allowed to go on bail with conditions

imposed by the court below which would serve the purpose and meet the ends of justice.

5. Accordingly, it is ordered.

6. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned court J.M.F.C., Bhubaneswar on or before 14th October, 2022 in connection with I.C.C.Case No. 214 of 2018 and in the event of his surrender, the court shall release him on bail with conditions.

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



(R.K. Pattanaik)
Judge