

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2719 of 2022

Debendra Kumar Joshi

.... Petitioner
Mr. B.K.Ragada, Advocate

-Versus-

State of Odisha & Another

.... Opposite Parties
Mr .S.S Mohapatra,ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
04.11.2022

Order No.

- 02.
1. Heard learned counsel for the petitioner and learned counsel for the State -opposite party.
 2. The challenge in the present case is as to the impugned notice under Anneuxre-1 whereby the learned SDM, Padampur has summoned the petitioner to appear on the date fixed and to show cause as to why he shall not be required to execute a bond for an amount of Rs. 1,00,00/- with two credible sureties of the local P.S. to keep peace and be of good behavior for a period of two years.
 3. Learned counsel for the petitioner submits that the petitioner is said to have been involved in four numbers of criminal cases which is reflected in Anneuxure-2, a copy of the order passed

the learned SDM in C.M.C. No. 269 of 2022 in a proceeding under Section 110 Cr.P.C.

4. Mr. Praharaj, learned counsel for the State submits that the challenge is to the notice in response to which the petitioner could appear and submit his show cause for consideration of the learned SDM, Padampur and therefore, it should not be interfered with at this stage. Since a summons is issued by the learned court below and there is an opportunity for the petitioner to submit show cause, the Court is of the view that there is no need of any interference in exercise of inherent jurisdiction. In fact, the petitioner can respond to the notice and appear as has been directed by the learned SDM, Padampur in C.M.C. No. 269 of 2022 and file a show cause which in the event submitted shall be considered by the authority concerned. In other words, the Court does not find any reason or compelling ground to interfere with the impugned notice as at Annexure-1.

5. Accordingly, it is ordered.

6. In the result, CRLMC stands disposed of with a direction to the petitioner to appear in response to the notice under Annexure-1 before the learned SDM, Padampur in C.M.C. No. 269 of 2022 and file a show cause which shall be considered and orders thereon to be passed on merit an exercise which shall be completed preferably within a fortnight from the date of receipt of a copy of this order.

(R.K. Pattanaik)
Judge