

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLMC No.2713 of 2021**

***Sanjukta Mahapatra***

....

***Petitioner***

***-versus-***

***State of Odisha***

....

***Opposite Party***

**CORAM: JUSTICE S.PUJAHARI**

**ORDER**

**11.08.2022**

**Order No.**

02.

- 1.This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
- 3.The Petitioner has filed this application under Section 482 of Cr.P.C. challenging the order dated 24.09.2021 passed by the learned Sessions Judge, Sambalpur in Criminal Revision No.1 of 2021 wherein the learned Sessions Judge has confirmed the order dated 24.02.2021 passed by the learned S.D.J.M., Sambalpur in CMA No.34 of 2021.
4. It appears that the Petitioner filed an application under Section 457 Cr.P.C. before the learned S.D.J.M., Sambalpur to defreeze the account of the Petitioner. Learned S.D.J.M. rejected the said petition vide order dated 24.02.2021. Being aggrieved by the said order, the Petitioner filed Criminal

Revision No.1 of 2021. Learned Sessions Judge also rejected the revision. Therefore, the Petitioner has come to this Court with a prayer to direct the Opposite Party to defreeze her Saving Bank Account Bearing No.00000010754961326 of State Bank of India, Industrial Estate Branch, Baraipali, Sambalpur.

5. Mr. Mishra, learned Senior Advocate appearing for the Petitioner, submits that while freezing the aforesaid bank account of the Petitioner, proper procedure has not been followed by the Opposite Party. But without entering into the aforesaid question, he submits that the amount freezed is Rs.17,29,211/- and the Petitioner is ready and willing to furnish the bank guarantee of Rs.17,30,000/- and in that condition, she be allowed to operate the bank account and deal with the amount thereafter.

6. Learned counsel for the State submits that he has no objection to the same.

7. Considering the aforesaid facts and the submissions made, this Court disposes of this CRLMC with a direction to the court concerned that if the Petitioner furnishes the bank guarantee of Rs.17,30,000/- of any nationalized bank for the maximum period as available, within one month hence in the court in seisin over the matter with an undertaking to extend the same well ahead of expiry of such period, Opposite Party shall intimate the Bank to allow her to operate the bank account.

Needless to say that the court shall invoke the bank guarantee, if the same is not extended before seven days of the expiry and keep the amount in fixed deposit account in the name of the court, which shall be subject to final order to be passed on the disposal of the same. If the bank guarantee is valid on the date of conclusion of the case, an order also be passed on the entitlement of the amount so freezed, which is released and the bank guarantee accordingly be guided by the said order.

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

**(S. Pujahari)**  
**Judge**

PKS

