

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2844 of 2021

Mahendra Kumar Khilar @ ***Petitioner***
Mahendra Khilara

Mr. P.C. Mishra, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. Karunakar Gaya, ASC

CORAM:
JUSTICE S.K. PANIGRAHI

ORDER

24.01.2022

Order No.

01. 1. The matter is taken up through video conferencing 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 the Cr.P.C. to quash the order dated 17.12.2015 passed by the learned JMFC, Jajpur Road in G.R. Case No.295 of 2003 issuing N.B.W. against him.
4. Learned counsel for the petitioner submits that due to communication gap between the petitioner and his conducting counsel on the date fixed, the N.B.W. was issued against the petitioner on 17.12.2015. It is further submitted that the petitioner is suffering from various ailments and he is under treatment in the SCB Medical College and Hospital, Cuttack. Perused the medical papers filed by the petitioner.

5. Considering the aforesaid facts, the petitioner is directed to surrender before the court in seisin over the matter within a period of ten days. Upon his surrender, the court in seisin over the matter shall consider the bail petition of the petitioner with some stringent conditions so as to ensure his presence before the court on each date of posting of the trial.

6. Accordingly, the CRLMC is disposed of. The order of issuance of N.B.W. against the petitioner on 17.12.2015 in G.R. Case No.295 of 2003 is hereby quashed.

7. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the Advocate concerned with his/her seal, in the manner prescribed vide Court's Office Order dated 7th January, 2022.

(S.K. Panigrahi)
Judge

PCD