

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2862 of 2021

Jhumpi @ Jhupi Mahakud @ ***Petitioner***
Jhumi Pradhan

Mr. S.K. Pradhan, 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 28.07.2006 passed by the learned SDJM, Boudh in G.R. Case No.208 of 2002 issuing N.B.W. against her.
4. Learned counsel for the petitioner submits that the petitioner was on bail on 05.07.2002 by the court below. However, she failed to abide the terms and conditions prescribed in the said bail order. As a result of which, N.B.W. was issued against her on 28.07.2006. Due to her marriage, he failed to appear before the court as her counsel could not inform him.
5. In view of such facts and circumstances, the petitioner is directed to surrender before the court in seisin over the matter

within a period of fifteen days hence. Upon her surrender, the court in seisin over the matter shall consider for releasing her on bail with some stringent conditions so as to ensure her regular attendance on each date of posting of the trial. In addition, the petitioner shall deposit a sum of Rs.3,000/- (rupees three thousand only) as cost for non-compliance of the court's order. The said amount shall be deposited before the High Court Bar Associations Welfare Fund and copy of the said deposit shall be presented before the court in seisin over the matter.

6. Accordingly, the CRLMC is disposed of. The order of issuance of N.B.W. against the petitioner on 28.07.2006 in G.R. Case No.208 of 2002 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