

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2867 of 2021

Banoj Tripathy.

....

Petitioner

-versus-

***Dr. Subrat Kumar Prusty &
another.***

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

04.07.2022

Order No.

08.

1. This matter is taken up through Hybrid mode.
2. The petitioner in this application under Section 482 of the Code of Criminal Procedure (for short “Cr.P.C.”) has prayed for quashing of the order dated 29.11.2021 passed by the learned S.D.J.M., Jajpur in I.C.C. No.360 of 2019 rejecting his petition under Section 205 of Cr.P.C.
3. Heard the learned counsel for the parties.
4. Considering the facts and circumstances of the case, especially the fact that the petitioner is stated to be avoiding to appear in the aforesaid proceeding, this Court does not find any merit to interfere with the impugned order, but directs that if the petitioner appears before the Court concerned within four

weeks hence, he shall be allowed to go on bail on such terms and conditions and thereafter if he files a petition under Section 317 of Cr.P.C. to dispense with his personal appearance, the same shall be allowed by putting such terms and conditions as the Court may deem it just and proper, especially taking note of the law laid down in the case of ***Bhaskar Industries Ltd. Vrs. M/s. Bhiwany Denim and Apparels Ltd.***, reported in AIR 2001 S.C. 3625 for dispensing with personal appearance.

5. With the aforesaid order, this CRLMC stands disposed of.

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

(S. Pujahari)
Judge

MRS