IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.5348 of 2025

Akshya Kumar Behera **.....** ***Petitioner***

Represented by Adv. -
Dharmendra Sethy

-versus-

1) State Of Odisha **.....** ***Opposite Parties***

2) Nishakara Pradhan

Represented by Adv. –
Mr. S.K.Brhama, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **17.12.2025**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioner as well as the learned counsel for the State. Perused the application as well as the prayer made therein.

3. By filing the present application the Petitioner seeks quashing of order dated 22.09.2025 at Anenxure-2 passed by the learned S.D.J.M., Nilgiri in 1.C.C. Case No.72 of 2020 thereby issuing an NBW of arrest against the present Petitioner.

4. Learned counsel for the Petitioner at the outset contended that the abovenoted complaint case arises out of a complaint made for commission of an offence punishable under Section 138 of N.I. Act. He further submitted on the date of pronouncement of the judgment the Petitioner could not be present in Court. As a result of which the learned trial court has issued an NBW vide the impugned order dated

22.09.2025. He further submitted that earlier the Petitioner's personal appearance was dispensed with under Section 205 of the Cr.P.C. Learned counsel for the Petitioner further submitted that the Petitioner is ready and willing to cooperate with the learned trial court by appearing before the Court as an when required for the trial in the event this Court grants another opportunity to the Petitioner.

5. Considering such submission order dated 22.09.2025 is hereby set aside, subject to payment of cost of Rs.1000/- by the Petitioner to the complainant. Further, it is directed that the Petitioner shall appear before the learned trial court along with a copy of today's order within three weeks from today.

6. With the aforesaid observations and directions, the CRLMC application stands disposed of.

(A.K. Mohapatra)

Judge

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Signature Not Verified
Digitally Signed
Signed by: RUBI BEHERA
Reason: Authentication
Location: OHC
Date: 19-Dec-2025 12:20:55