IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.5479 of 2025

Prasant Kumar Palei @ Prasant Palei @ Lipi ..... ***Petitioner***

Represented by Adv. - Pranab Ranjan Chhatoi

-versus-

State Of Odisha ..... ***Opp. Party***

Represented by Adv. – S.K. Brahma, A.S.C.

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

ORDER
22.12.2025

Order No.

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

2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the materials placed before this Court.

3. The Petitioner is aggrieved by the order dated 22.07.2024 on which date the non-bailable warrant of arrest has been issued against him by the learned 1st Additional District Judge, Cuttack in S.T Case No.192 of 2022. Learned counsel for the Petitioner submitted that initially the Petitioner was on bail on 25.01.2022. After which the Petitioner was appearing before the learned Court in seisin over the matter after he was released on bail. However, on one of the dates fixed for appearance, due to communication gap with his lawyer, the Petitioner was unable to appear. Since no step was taken to represent the petitioner by the counsel appearing for

him. Thereafter, a non-bailable warrant of arrest was issued against the Petitioner. It was further contended that for the laches on the part of the counsel, the parties should not be allowed to suffer. Therefore, being aggrieved by such order the Petitioner has approached this Court with a prayer to quash order dated 22.07.2024.

4. On perusal of the record, this Court is of the view that the trial court has not committed any illegality, however, in the larger interests of justice and in order to provide another opportunity to the Petitioner, this Court deems it proper to set aside the order dated 22.07.2024 by the learned 1st Additional District Judge, Cuttack in S.T Case No.192 of 2022, subject to payment of a cost of Rs.1000/- (Rupees One Thousand) by the Petitioner to the Advocates' Welfare Fund of Local Bar Association within fifteen days and furnishing money receipt thereof in proof of deposit. Further, it is directed that the Petitioner shall appear before the learned 1st Additional District Judge, Cuttack within four weeks from today along with a copy of today's order and shall continue to participate in the proceeding without any further default. In the event, the Petitioner makes any further default in appearance, it is open to the Court in seisin over the matter to take necessary coercive steps against the Petitioner.

5. In such view of the matter, the CRLMC is allowed.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 23-Dec-2025 17:03:45