



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 56 of 2026

Amulya Panda

.....

Petitioner

Mr. B. B. Agasti, Advocate

-versus-

State of Odisha and others

.....

Opposite Parties

Mr. Saroj Kumar Rout,
Additional Standing Counsel

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

02.02.2026

Order No.

01.

(Through hybrid Mode)

1. By judgment dated 30.08.2022, the learned SDJM, Bhadrak in ICC Case No. 65 of 2020 had convicted the Opposite Party for commission of offences punishable under Section 138 of the NI Act and sentenced him to undergo two months S.I. and to pay Rs.12 lakhs toward compensation.

2. Criminal Appeal No. 19 of 2022 filed by the Opposite Party in the Court of the learned Sessions Judge, Bhadrak was dismissed by judgment dated 04.01.2023 and the conviction and sentence of the Opposite Party was confirmed. Thereafter, he had filed Criminal Revision No. 89 of 2023 before this Court which was disposed of on 04.05.2023 with the following order.

“11. Considering the submission made and in the facts and circumstances, while confirming the finding of conviction; the revision stands disposed of by setting aside the order of sentence of simple imprisonment for a period of two months and the Petitioner (accused) is directed to pay compensation at Rs.12,00,000/- (Rupees Twelve Lakhs) to the Opposite Party No.1 (complainant) in four



equal installments; first one by the end of July, 2023; second one by the end of October, 2023; third one by the end of December, 2023; and the last one by the end of March, 2024 and in default of payment of the same by the time stipulated, the Petitioner (accused) would undergo simple imprisonment for a period of six (6) months.

12. In case any amount is lying in deposit with the courts below as per the order of the Court and is accruing interest thereon, the same be adjusted towards the compensation in the last installment and the balance amount shall stand for being paid by the Petitioner (accused) failing which the default stipulation as above shall come into play and pressed into service.”

3. As the Opposite Party did not comply with the order and pay the compensation as directed by this Court, in fine Misc. Case No. 296 of 2022, NBW had been issued against him. On 16.08.2024, the previous NBW along with distress warrant was recalled and fresh NBW along with the distress warrant of 12 lakh was issued against the Opposite Party.

4. On 01.07.2025 passed in I.A. No. 440 of 2025 arising out of CRLREV No. 89 of 2023, this Court had granted the petitioner further time of two months as a last chance to comply with the court's order dated 04.05.2023. In spite of the said order, the Opposite Party did not pay the compensation for which on 10.06.2025 direction had been issued by the learned SDJM, Bhadrak to the IIC to execute the NBW along with distress warrant against the Opposite Party. On 09.09.2025, notice was again issued to the IIC for execution of the NBW along with DW as the information had not been given to the IIC and the case posted to 19.12.2025 for execution of the NBW along with DW.



5. Mr. B. B. Agasti, learned counsel for the petitioner submits that till date the IIC has not executed the NBW or DW, for which he has been compelled to approach this Court.

6. List this matter on 09.02.2026 to enable Mr. S. K. Rout, learned Additional Standing Counsel to obtain instruction from the IIC, Bhadrak(R) Police Station, as to why the NBW and DW have not been executed till date. If instructions are not received by 09.02.2026, the IIC will be required to file an affidavit by 11.02.2026.

(Savitri Ratho)
Judge

Subhalaxmi