



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 488 of 2026

Dr. Hadubandhu Rautra @
Hadibandhu Routray & Anr.

Petitioner(s)

Mr. Anjan Kumar Biswal,
Adv.

-Versus-

Prabhati Routray

Opposite Party (s)

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

13.02.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. The Petitioners have filed this CRLMC with a prayer to quash the order dated 16.07.2025 passed by the learned Judge, Family Court, Nayagarh in CrI. Misc. Exn. No.62 of 2023 under Anneuxre-6.
3. Learned counsel for the Petitioners submits that the Opposite Party has filed a petition under Section 125 of the Cr.P.C. against her father, mother and two brothers for awarding maintenance in her favour. In the said case, the learned Judge, Family Court, Nayagarh has passed the judgment on 06.09.2022 in awarding Rs.2,500/- as monthly maintenance in favour of the Opposite Party and it has been directed that the same shall be paid



by the present petitioners. The Petitioners have preferred RPFAM No.295 of 2023 challenging the order dated 06.09.2022 wherein this Court has granted liberty to file a petition under Section 126(2) of Cr.P.C. before the learned Judge, Family Court, Nayagarh. Accordingly, the petitioners have filed a petition under Section 126(2) of Cr. P.C. to recall/setting aside the order /Judgement passed by the Judge, Family Court, Nayagarh in CRLMP No.191/2019. The said petition was registered as CRLMP No.176/2024. The said petition was taken up by the learned Judge, Family Court, Nayagarh on 28.11.2024 and notice was issued to the present Opposite Party and the same is pending for adjudication. Before passing of the aforesaid order by this Court in RPFAM No.295 of 2023, the Opposite Party has filed an Execution Case under Section 128 of Cr.P.C. vide Crl. Misc. Exn. No.62 of 2023 for realization of the amount as directed in the judgment dated 06.09.2022. In the said case the learned Judge, Family Court, Nayagarh has issued DW/NBW(A) on 16.07.2025 against the present petitioners for their production and realization of arrear maintenance. On the said date, the Advocate for the petitioners also filed a time petition which was rejected.

4. In view of such facts and submissions made by the learned counsel for the Petitioners, this Court is inclined to allow the



CRLMC. Accordingly, the order dated 16.07.2025 passed by the learned Judge, Family Court, Nayagarh in Crl. Misc. Exn. No.62 of 2023 under Anneuxre-6 is hereby quashed.

5. However, the Petitioners are directed to surrender before the court in *seisin* over the matter in the aforesaid case and move for bail within a period of fifteen days hence. On such event, the said court shall release them on bail with some stringent conditions so as to enable them to appear before the court on each date of posting of the case. Moreover, the Petitioners shall file objection in the court in *seissin* over the matter accordance with law.

6. Accordingly, the CRLMC is disposed of.

(*Dr. Sanjeeb K Panigrahi*)
Judge