



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.910 of 2026

*Puspalata Pradhan @
Bastia*

.....

*Petitioner(s)
Mr. Mithun Das,
Advocate*

-Versus-

State of Odisha & Ors.

.....

*Opposite Party (s)
Ms. Gayatri Patra, ASC*

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

25.03.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. The Petitioner has filed this CRLMC seeking a direction from this Court to the Opposite Party Nos. 2 & 3 to execute the N.B.W. issued against the Opposite Party No.4 on 26.04.2024 in Crl. Execution Case No.16 of 2023 pending before the learned Judge, Family Court, Puri.
3. Learned counsel for the Petitioner submits that the Petitioner had got married to the Opposite Party No.4 on 04.12.2014 as per Hindu rites and customs. After some days of their marriage, her husband / Opposite Party No.4 and his family members started torturing on her both mentally and physically by demanding more dowry. On 25.03.2016, her husband / Opposite Party No.4 as well as his family members assaulted her and forcibly drove out from her in-law's



house. Since then, she has been residing at her parental house. Thereafter, the Petitioner filed a Petition under Section 125 of the Cr.P.C. before the learned Judge, Family Court, Puri vide Cr.P. No.122 of 2019, inter-alia, praying for maintenance of Rs.10,000/- per month from the Opposite Party No.4, as he has been earning more than Rs.25,000/- per month from his own business. In the said case, notice was issued to the Opposite Party No.4, who appeared in the Proceeding before the learned Judge, Family Court, Puri, but he did not file his objection. At the time of hearing, as the Opposite Party No.4 was absent, his evidence was closed and he was set ex-parte. The learned Judge, Family Court, Puri after going through the Petition, filed under Section 125 of Cr.P.C. by the Petitioner and after perusing her evidence as PW-1 vide order dated 02.11.2022 directed the Opposite Party No.4 to pay maintenance of Rs.1,000/- per month to the present Petitioner from the date of application of the Petition under Section 125 Cr.P.C., i.e. dated 22.08.2019, till the date of Order and Rs.2,000/- per month from the date of Order.

4. After the Judgment, dated 02.11.2022, when the Opposite Party No.4 did not comply the Judgment dated 02.11.2022, the present Petitioner filed one Criminal Execution Case No.16 of 2023 on 03.02.2023 before the learned Judge, Family Court, Puri for execution of the Judgment dated 02.11.2022, in which the notice was issued to



the present Opposite Party No.4 on 20.04.2023. Despite receiving of the summon, the present Opposite Party No.4 did not appear before the learned Judge, Family Court, Puri in Execution Case No.16 of 2023, for which vide Order dated 16.08.2023, the present Opposite Party No.4 was set ex-parte and vide Order, dated 16.09.2023, the learned Judge, Family Court, Puri directed the present Opposite Party No.4 to pay the arrear maintenance amounting to Rs.46,366/- to the present Petitioner, within seven days. But, the same was not paid by the Opposite Party No.4, for which the learned Judge, Family Court vide Order dated 26.09.2023 issued D.W. against the Opposite Party No.4. However, as the same was not executed, on 26.04.2024, the learned Judge, Family Court, Puri, issued N.B.W. against the present Opposite Party No.4 to the concerned case for production of the present Opposite Party No.4. But, till date, despite passing of several orders, the N.B.W. was not executed.

5. Due to nonexecution of N.B.W., the learned Judge, Family Court, Puri, on 25.08.2025 sent the Execution Case of the Petitioner to the dormant file, because the present Opposite Party No.2 is unable to produce the Opposite Party No.4 before the learned Judge, Family Court, Puri, despite several reminders made by the learned Judge, Family Court, Puri. Though the warrant has been issued since



26.04.2024, but the Opposite Party No.3 failed to discharge his duty to execute the Court's warrant. Hence, this case.

6. Learned counsel for the State strongly objects release of the Petitioner on bail.

7. In view of such facts and submissions made by the learned counsel for the Petitioner, this Court directs the Opposite Party Nos.2 & 3 to execute the N.B.W. issued against the Opposite Party No.4 on 26.04.2024 in Crl. Execution Case No.16 of 2023 pending before the learned Judge, Family Court, Puri within a period of four weeks in letter and spirit.

8. Accordingly, the CRLMC is disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge