



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLP No.88 of 2011

State of Orissa

.....

Petitioner

Represented By Adv. –
U.C. Jena, A.S.C.

-versus-

Abdul Wahid

.....

Opp. Party

Represented By Adv. -

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

ORDER
01.12.2025

Order No.

04.

Misc. Case No.126 of 2011

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application for condonation of delay of 51 days in the presentation of the leave application by the State.
3. Heard learned counsel for the Petitioner-State. Despite valid service of notice on the Opposite Party, none appears for the Opposite Party.
4. Learned counsel for the Petitioner at the outset contended that being aggrieved by the judgment dated 17.03.2011 passed in S.T Case No.53 of 06 by the learned Additional District & Sessions Judge, Jharsuguda thereby acquitting the Opposite Party for commission of an offence punishable under Sections 366/376 of the IPC, the State-Petitioner has approached this Court seeking



leave to prefer an appeal.

5. Learned counsel for the Petitioner-State at the outset referring to the grounds taken in the Misc. Case for delay in presentation of the appeal specifically stated before this Court that due to procedural requirement, there was a delay of 50 days in presentation of the appeal.

6. Taking into consideration the grounds taken for condonation of delay, this Court is inclined to allow the Misc. Case. Accordingly, the delay of 50 days is condoned subject to payment a cost of Rs.300/-(Rupees Three Hundred) to the Orissa High Court Advocates' Welfare Fund of Bar Association.

7. Accordingly, the Misc. Case stands allowed.

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8. List this matter in the next week under the heading "For Admission".

(Aditya Kumar Mohapatra)
Judge

Anil