



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2033 of 2025

Ashish Kumar Swain

.....

Petitioner

Represented By Adv. –
Mr. Rabi Narayan Panda

-versus-

State Of Odisha

.....

Opposite Party

Represented By Adv. –

Mr. Chiranjaya Mohanty,
ASC

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

ORDER
20.06.2025

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
 2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party.
 3. This is an application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the order dated 31.03.2021 passed by the learned Additional Sessions Judge-cum-Special Judge, Bhadrak in Special Case No.17 of 2018 whereby the trial court has issued N.B.W. against him.
 4. It is stated by the learned counsel for the Petitioner that earlier the Petitioner had approached this Court by filing ABLAPL No.8596 of 2018 which was disposed of vide order dated 21.06.2018 whereby the Petitioner was directed to be released on interim bail by the Additional Sessions Judge-cum-Special Judge, Special Court, Bhadrak



on the date he surrendered before the court below till disposal of the bail application on merit. Learned counsel for the Petitioner further contended that pursuant to order dated 21.06.2018, the Petitioner surrendered before the court below and he was released on interim bail. However, in the meantime the Petitioner met with an accident and fractured his hand in such incident, as a result of which, the Petitioner could not participate in the proceeding further. In the meantime, an N.B.W. of arrest has been issued against the Petitioner. By filing the present application under Section 482 of Cr.P.C., the Petitioner has prayed for quashing of such N.B.W.

5. Learned counsel for the State, on the other hand, opposed the quashing of the N.B.W. on the ground that the Petitioner is a wilful defaulter as he did not appear before the court below after he was released on interim bail pursuant to the order of this Court.

6. Having regard to the submissions made by the learned counsel appearing for the respective parties and on a careful examination of the background facts, this Court grants liberty to the Petitioner to surrender before the Special Judge, Bhadrak in Special Case No.17 of 2018 and cooperate with the court in seisin over the matter for consideration of his regular bail application pursuant to order dated 21.06.2018 passed by a coordinate Bench of this Court in ABLAPL No.8596 of 2018, failing which, this order shall automatically stand revoked. It is further directed that till disposal of the regular bail application pursuant to the aforesaid order dated 21.06.2018, the N.B.W. issued against the Petitioner shall not be given effect to for a period of four weeks or till disposal of his bail application. It is further directed that till the Petitioner surrenders before the court in seisin over the matter within the period as stipulated, no coercive action shall be taken against him.



The aforesaid extension of time is subject to deposit of a cost of Rs.2,000/- (Rupees two thousand) by the Petitioner to the Advocates' Welfare Fund of Local Bar Association within fifteen days and furnishing money receipt thereof as proof of deposit.

7. With the aforesaid observation and direction, the CRLMC is disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Debasis