



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2709 of 2025

Sobhagini Naik

.....

Petitioner

Represented By Adv. –
Mr. Bijaya Kumar
Ragada

-versus-

State of Odisha

.....

Opposite Party

Represented By Adv. –
Mr. C.M. Singh, ASC

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

ORDER
25.07.2025

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual/ Physical Mode).
 2. Heard learned counsel for the parties and perused the records.
 3. The Petitioner being aggrieved by the order dated 23.12.2022 whereby an NBW of arrest has been issued against her by the learned Sessions Judge-cum-Judge (Special Court), Sambalpur in T.R. Case No.58 of 2017, has approached this Court by filing the instant application with a prayer to quash such order.
 4. Learned counsel for the petitioner submitted that initially the Petitioner was on bail on 20.06.2017 by the trial court. He further submits that since the date of her release on bail the Petitioner was appearing before the Court in seisin over the matter. However, on



the date fixed for appearance before the Court in seisin over the matter, due to illness, the Petitioner could not able to appear before the Court in seisin over the matter and no step was taken on her behalf. Therefore, a non-bailable warrant of arrest was issued against the Petitioner. It was further contended that for the laches on the part of the counsel, the party should not be allowed to suffer. Therefore, being aggrieved by order dated 20.06.2017, the Petitioner has approached this Court with a prayer to quash the same.

5. On perusal of the record, this Court is of the view that the trial court has not committed any illegality, however, in the larger interests of justice and in order to provide another opportunity to the Petitioner, this Court deems it proper to set aside the order dated 23.12.2022 passed by the learned Sessions Judge-cum-Judge (Special Court), Sambalpur in T.R. Case No.58 of 2017, subject to payment of cost of Rs.1,000/- (Rupees one 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. Further, it is directed that the Petitioner shall appear before the learned Sessions Judge-cum-Judge (Special Court), Sambalpur within twenty days from today along with a copy of this order and shall continue to participate in the proceeding without any further default unless her personal appearance is dispensed with. In the event, the Petitioner makes any further default in appearance, it is open to the Court in seisin over the matter to take necessary coercive steps against the Petitioner. The aforesaid order shall be subject to the condition



that the trial court shall verify the fact as to whether the Petitioner was earlier released on bail. In the event the Petitioner was released on bail, then this order would stand, otherwise this order be automatically revoked.

6. The CRLMC is accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 28-Jul-2025 17:02:43

