



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.3245 of 2025

Babina @ Sudhansu Behera

.....

Petitioner

Represented By Adv. –
Mr. Deepak Ku Sahoo

-versus-

State of Odisha

.....

Opposite Party

Represented By Adv. –

Mr. S.K. Parhi, ASC

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

ORDER
21.08.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/ Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Party. Perused the application as well as the prayer made therein.
3. The Petitioner being aggrieved by the order dated 22.07.2025 whereby an NBW of arrest has been issued against him by the learned Adhoc ADJ, FTSC, Kendrapara in G.R. Case No.58 of 2023, has approached this Court by filing the instant application with a prayer to quash such order.
4. Learned counsel for the Petitioner, at the outset, contended that earlier the Petitioner had approached this Court by filing an application which was registered as CRLMC No.434 of 2025. While hearing the aforesaid application, a coordinate Bench of this



Court, vide order dated 24.03.2025, had granted liberty to the Petitioner to move an application for adjournment of the proceeding on the ground that the matter is subjudice before this Court. Thereafter, the Petitioner appeared before the trial court and moved an application for adjournment. However, the same was rejected vide order dated 22.07.2025 on the ground that although liberty has been granted to the Petitioner to move application, however, this Court has not directed for adjournment of the proceeding. Taking into consideration the seriousness and gravity of the allegation, the trial court, while rejecting the application for adjournment vide order dated 22.07.2025, had issued a N.B.W. of arrest against the Petitioner.

5. Learned counsel for the State, on the other hand, supported the order passed by the trial court on 22.07.2025 at Annexure-1.

6. Having regard to the submissions made by the learned counsel for the parties and on a careful scrutiny of the order dated 22.07.2025, this Court is of the view that the trial court has not committed any illegality in rejecting the application. Moreover, in the order passed by the learned coordinate Bench on 24.03.2025 nowhere states that the proceeding is to be adjourned by the trial court. Accordingly, the trial court, taking into consideration the seriousness and gravity of the allegation, has not committed any illegality in passing order dated 22.07.2025. However, taking into consideration the submission made by the learned counsel for the Petitioner that the Petitioner is ready and willing to cooperate with an early conclusion of the trial in the event an opportunity is



provided to appear before the trial court, this Court disposes the present application by quashing the order of N.B.W. issued against the Petitioner vide order dated 22.07.2025 under Annexure-1. Further, it is directed that the Petitioner shall appear before the court in seisin over the matter within fifteen days from today along with a copy of this order and shall continue to participate in the proceeding without any further default. 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.

7. Taking into consideration the urgency of the matter, registry is directed to list CRLMC No.434 of 2025 in the week commencing 1st September 2025.

8. With the aforesaid observation and direction, the CRLMC stands disposed of.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 25-Aug-2025 11:42:43

