



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.4377 of 2025

Ajaya Sethi

.....

Petitioner

Represented By Adv. -
Amlan Shakti Paul

-versus-

State Of Odisha

.....

Opposite Party

Represented By Adv. -
Mr. S.K.Bramha, A.S.C.

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

ORDER
27.10.2025

Order No.

01. 1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner.
3. The Petitioner is aggrieved by the order dated 28.03.2025 on which date the NBW of arrest has been issued against him by the learned 1st A.S.J., Cuttack in 2(a) C.C. No.112 of 2023.
4. Learned counsel for the petitioner submitted that initially the petitioner was on bail. He further submits that since the date of his 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 communication gap with his lawyer, the petitioner was unable to appear since no step was taken to represent the petitioner by the counsel appearing for him. 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 28.03.2025, 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 28.03.2025 passed by the learned 1st A.S.J., Cuttack in 2(a) C.C. No.112 of 2023, subject to payment of cost of Rs.700/- (Rupees Seven Hundred) 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 1st A.S.J., Cuttack within two weeks from today along with a copy of this order and he shall appear before the learned trial court on each and every date, unless his appearance is specifically dispensed with by the learned trial court. 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.

6. The CRLMC is accordingly, disposed of.

(A.K. Mohapatra)
Judge