



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.803 of 2025

Satchidananda Chintamani Petitioner
Behera

Mr. A. Mishra, Advocate

-Versus-

Maheswar Mohanty Opposite Party
None

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
27.10.2025

Order No.

01.

1. Heard Mr. Mishra, learned counsel for the petitioner.
2. Instant revision is filed by the petitioner challenging the impugned judgment as at Annexure-3 in Criminal Appeal No.143 of 2024 confirming the order of conviction with sentence in 1CC Case No.1241 of 2020 of the learned JMFC (LR & LTV), Khurda, Bhubaneswar on the grounds stated.
3. Referring to a transaction with the execution sale deed at Annexure-2 and claiming that the possession of the land in question to be with the seller, Mr. Mishra, learned counsel for the petitioner submits that the action under Section 138 of the NI Act is not maintainable especially when there has been an agreement between the parties to go for cancellation of the sale deed, in case, there is no full payment received from the petitioner. With such submission and other grounds advanced, Mr. Mishra, learned counsel for the petitioner would submit



that the judgment at Annexure-3 is liable to be interfered with. Considering the facts pleaded on record and submission as above, the Court is inclined to issue notice to the opposite party for a reply and response.

4. Hence, it is ordered.

5. Notice to the opposite party by Speed Post with a short returnable date and for the said purpose, requisites shall be filed by Mr. Mishra, learned counsel for the petitioner within seven days from today.

6. List on 1st December, 2025 for final hearing and orders.

(R.K. Pattanaik)
Judge

02.

I.A. Nos.1170 and 1171 of 2025

1. Heard Mr. Mishra, learned counsel for the petitioner.

2. Instant I.As are filed seeking release of the petitioner on bail in connection with 1CC Case No.1241 of 2020 and stay realization of the compensation amount as has been directed and confirmed in appeal.

3. In course of hearing, it is informed to the Court by Mr. Mishra, learned counsel for the petitioner that the petitioner has already deposited an amount of Rs.5,60,000/- in the meantime. It is further submitted that the Court of 1st instance has issued a NBWA against the petitioner towards realization of



compensation as has been directed. Considering the plea of the petitioner and grounds pleaded in the revision petition, this Court, as an interim measure, awaiting appearance of the opposite party, directs that there shall be no coercive action taken against the petitioner till the next date fixed. It is further directed that there shall be stay realization of compensation amount in the meantime.

4. List on the date fixed for further orders.
5. Urgent copy of the order be issued as per rules.

(R.K. Pattanaik)
Judge

Rojina