



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CRLMC No.4631 of 2025**

***Sumanta Sahoo***

.....

***Petitioner***

Represented By Adv. –  
Mr. Manoranjan Mishra

-versus-

***State of Odisha and another***

.....

***Opposite Parties***

Represented By Adv. –

Ms. Babita Kumari Sahu,  
AGA

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

**ORDER**  
**10.12.2025**

**Order No.**

01.        1.    This matter is taken up through Hybrid Arrangement (Virtual/ Physical Mode).
2.    Heard the learned counsel for the Petitioner as well as the learned counsel for the State. Perused the application as well as the prayer made therein.
3.    By filing the present application under Section 482 of Cr.P.C., the Petitioner seeks quashing of order dated 01.05.2025 passed by the learned Additional District & Sessions Judge-cum-Special Judge, Pattamundai in T.R. No.624 of 2025 thereby issuing N.B.W. of arrest against him.
4.    Learned counsel for the Petitioner, at the outset,



contended that initially the Petitioner was extended with the benefit under Section 41-A of Cr.P.C. He further contended that thereafter the Petitioner was appearing before the trial court on each and every date fixed. However, on the date fixed for appearance before the trial court, due to a communication gap with his conducting counsel, he could not appear before the trial court and no step was taken on his behalf. Therefore, a non-bailable warrant of arrest was issued against the Petitioners. 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 01.05.2025, the Petitioner has approached this Court with a prayer to quash the same.

5. Taking into consideration the aforesaid facts, this Court is of the view that the trial court has not committed any illegality in passing order dated 01.05.2025. However, since the Petitioner is interested in appearing before the trial court and cooperate with the trial court for early conclusion of the trial, this Court deems it proper to dispose of the present CRLMC application by directing the Petitioner to move an application with a prayer to recall the order of N.B.W. of arrest dated 01.05.2025 before the trial court within a period of three weeks from today. In such eventuality, the trial court shall recall the order of N.B.W. of arrest and allow the Petitioner to participate in the trial.



However, such recall of order of N.B.W. of arrest shall be subject to the Petitioner paying a cost of Rs.1,000/- (Rupees one thousand) to the Complainant/Informant. 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 as per law so as to ensure his presence before the trial court.

6. The CRLMC is, accordingly, disposed of.

**( Aditya Kumar Mohapatra )**  
**Judge**

*Debasis*

**Signature Not Verified**

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Reason: Authentication  
Location: ORISSA HIGH COURT  
Date: 12-Dec-2025 14:02:35

