



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 1471 of 2025

Pratima Bastia

....

Petitioner

Ms. Smita Das, Advocate

-versus-

State of Orissa & Others

....

Opp. Parties

Mr. Ashok Kumar Apat,
Additional Government Advocate

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

02.02.2026

Order No.

(Through hybrid Mode)

- 02.
1. Perused the report dated 03.01.2026 of the learned District Judge, Cuttack which reveals that after perusal of the case record in G.R. Case No. 74 of 2021, NBW was issued against the accused on 21.01.2023 and process under Sections 82 and 83 of Cr.P.C. was issued on 01.07.2023. This was without receiving any report from the police about proclamation / attachment before the order was passed for placing the case record in dormant file on 06.07.2024. The record is also completely silent regarding any opportunity being afforded to the informant by the Court concerned to furnish the list of properties in the name of the accused for attachment.
 2. After hearing learned counsel for the Petitioner, it appears that only order dated 21.1.2023, 04.04.2023 and 06.07.2024 passed in G.R. Case No. 74 of 2021 have been annexed to this petition. But from the report of the learned District Judge,



Cuttack, it appears that process under Sections 82 and 83 of Cr.P.C. has been issued on 01.07.2023. While sending the compliance report, the learned District Judge, Cuttack should have sent the copies of the relevant orders from perusal of this Court.

3. Be that as it may, it appears that in spite of NBW being issued, the I.I.C., Niali has not taken any steps for execution of the NBW against Opposite Parties No. 4 to 7, for which the record has been sent to the dormant file by the learned J.M.F.C., Niali without following the proper procedure.

4. List this case 16.02.2026.

5. In the meanwhile, Mr. Ashok Kumar Apat, learned Additional Government Advocate will obtain instructions and file an affidavit of the I.I.C., Niali regarding steps taken for execution of NBW against Opposite Parties No. 4 to 7.

6. Learned J.M.F.C., Niali is also directed to send copies of the order sheet of the G.R. Case No. 74 of 2021 from 21.01.2023 till date, so as to reach the Court before the next date. Registry to call for such report.

(Savitri Ratho)
Judge

Sukanta