IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2838 of 2023
CNR-ODHC010498902023

Bidyabharati Panda …. ***Petitioner***

Represented by Adv.-
Mr. Bishnu Prasad Pradhan,
Advocate

-versus-

Abhiram Mohapatra …. ***Opp. Party***

Represented by Adv.-
Mr. Partha Sarathi Nayak,
Advocate
Mr. Rakesh Behera, Advocate
for the informant

CORAM:
HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER
03.09.2026
(Hybrid mode)

Order No.

11. **1.** In the present petition, the petitioner has challenged the order dated 23.06.2023 passed by the learned S.D.J.M., Paralakhemundi in 1.C.C. Case No.22 of 2022, whereby her application under Section 205 of Cr. P.C. for exemption from personal appearance has been rejected by the learned S.D.J.M., Paralakhemundi.

2. It is contended by learned counsel for the petitioner that the petitioner is working as a Livestock

Inspector at Mayurbhanj district, which is situated at a distance of about 524 Kms. from Paralakhemundi. She is a young widow without having any support. Hence, frequent visit to Paralakhemundi for attending the case would jeopardize her service. Therefore, she has sought for dispensation of her personal appearance.

3. Learned S.D.J.M., Paralakhemundi has rejected the application of the petitioner on the ground that, in 1.C.C. Case No.22 of 2022, since the cognizance of the offences punishable under Sections 302/120-B of IPC has been taken against the petitioner, which is exclusively triable by the Sessions Court, appearance of the petitioner is essential. It is also observed by the learned S.D.J.M. that the present petitioner and other accused persons are deliberately avoiding the process of the Court causing delay in commencement of the trial in the present case.

4. Taking note of the conduct of the present petitioner and the other co-accused persons, the Court below has rejected the application moved by the petitioner under Section 205 Cr. P.C. and issued the N.B.W. against the petitioner. Hence, the present petition.

5. This Court, vide a detailed order dated 03.09.2026 passed in CRLMC No.1088 of 2024 has directed the petitioner to appear before the trial Court and resort to the remedy available to her under law. The

reasoning assigned by this Court to dispose of CRLMC No.1088 of 2044 which are not enumerated herein for brevity, would suffice for the purpose of disposing of the present petition as well.

6. Accordingly, the CRLMC is disposed of in the light of the order dated 03.09.2026 passed in CRLMC No.1088 of 2024.

(Sibo Sankar Mishra)
Judge

Subhasis

Signature Not Verified
Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 08-Sep-2026 18:11:27