

CRLMA No.139 of 2016

and

CRLMA No.370 of 2015

30.11.2016 Heard learned counsels for the parties.

Vide order dated 24.11.2016 passed in Misc. Case No.27 of 2016 arising out of CRLMA No.370 of 2015, time has already been extended for four months for the petitioner to deposit the remaining amount of Rs.4,00,000/- (four lakhs). The aforesaid CRLMA No.370 of 2015 should have been listed along with CRLMA No.139 of 2016, as both the cases are related and the latter one, i.e. CRLMA No.139 of 2016 has been filed for cancellation of bail.

It is submitted by learned counsel for the petitioner in CRLMA No.139 of 2016 that, suppressing all the facts, the petitioner has managed to get the order dated 24.11.2016 passed in CRLMA No.370 of 2015.

Such an act by the petitioners counsel is certainly blemishworthy and he should refrain from such activities in future. Registry is also directed to conduct an enquiry into the matter and find out as to how CRLMA No.370 of 2015 came to be listed without listing with CRLMA No.139 of 2016 before this Court, when the petitioners counsel in CRLMA No.370 of 2015 has already appeared as counsel for the opposite party.

Be that as it may, order of extension has already been passed on 24.11.2016 rightly or wrongly. Taking into consideration the rival submissions, both the CRLMAs are disposed of with the observation that, if the petitioner in CRLMA No.370 of 2015 fails to deposit Rs.4,00,000/- (rupees four lakh) within four months from 24.11.2016, necessary proceeding for cancellation of bail be initiated by the learned Addl. Sessions Judge, Bhubaneswar and appropriate order in accordance with law be passed in that case.

Both the CRLMAs are disposed of accordingly.

C.R. Dash, J.