



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.160 of 2024

Anand K.

.....

Petitioner

Represented By Adv. –
Mr. S.S. Das, Senior
Advocate along with
Mr. Pranab Kumar Ghose,
Advocate

-versus-

State of Odisha

.....

Opposite Party

Represented By Adv. –

Smt. Sasmita Nayak,
ASC

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

ORDER
06.11.2025

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned Senior Counsel appearing for the Petitioner as well as 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 the Cr.P.C., the accused-Petitioner seeks to invoke the inherent power of this Court to quash the entire criminal proceeding arising out of Sarangada P.S. Case No.137 of 2023, which corresponds to C.T. Case No.108 of 2023, pending in the court of learned Special Judge-cum-Additional District & Sessions



Judge, Balliguda, District-Kandhamal, for alleged commission of an offence under Section 20(b)(ii)(B) & 27 of the N.D.P.S. Act.

4. Mr. S.S. Das, learned Senior Counsel appearing for the Petitioner, at the outset, contended that the Petitioner before this Court is a police constable working under the Karnataka State Police. He further contended that in connection with a crime pertaining to illegal trafficking of contraband Ganja, the Bangalore Police had come to Odisha for further investigation. However, while conducting such investigation, they were arrested by the local police on the allegation of possessing of contraband Ganja. In the meantime, the Petitioner has been released on bail. However, the criminal proceeding is pending against the present Petitioner.

5. Learned counsel for the Petitioner further submitted that the Karnataka Police has written several letters to the Orissa Police indicating therein that the Petitioner was part of a team which had gone to Odisha for further investigation in connection with a crime involving the provisions of the NDPS Act that had taken place in Bangalore city. He further contended that despite such clarification given by the Karnataka police, a preliminary charge sheet has been filed implicating the Petitioner in the present crime. He further contended that the Petitioner has been falsely implicated in the present case and that he was a part of the team which was carrying out an investigation. Such fact is also clearly borne out from the communication by the Karnataka



Police.

6. Learned counsel for the State, on the other hand, contended that the local police had no prior intimation with regard to the alleged investigation that has been carried out by the Petitioner as part of the investigation team that had come from the state of Karnataka. She further contended that upon search, it was found that the Petitioner was possessing contraband Ganja. Therefore, he has been arrested and a formal case has been registered against the present Petitioner. In view of the aforesaid factual position, learned counsel for the State contended that the local police have not committed any illegality in the matter. As such, the prayer made in the present application for quashing of the entire criminal proceeding is unsustainable in law. Therefore, the application filed by the Petitioner be dismissed.

7. Having heard the learned counsels appearing for the respective parties and on a careful examination of the background facts of the present case, further taking note of the submission made by the learned counsels appearing from both sides, this Court prima facie observes that there exists a confusion between the police of the two states. Learned Senior Counsel appearing for the Petitioner emphatically argued that the Petitioner was a part of the investigation team and the same has been corroborated by authorities of Karnataka Police. In view of the aforesaid position, this Court directs the D.I.G. of Police, Southern Range, Odisha, Berhampur, Ganjam to look



into the matter and supervise the investigation and to produce a report before this Court by the next date. Such report be prepared by taking into consideration any communication from the Karnataka Police. While preparing the supervision note, the D.I.G. of Police, Southern Range, Odisha, Berhampur, Ganjam shall also take into consideration the materials annexed to the present application. A copy of the application along with a copy of this order be forwarded to the D.I.G. of Police, Southern Range, Odisha, Berhampur, Ganjam by the learned counsel for the State.

8. List this case in the week commencing 15th December, 2025.

9. A free copy of this order be handed over to the learned counsel for the State.

(Aditya Kumar Mohapatra)
Judge

Debasis