



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 335 of 2026

Ms. Arif Khan

.....

Petitioner

Mr. Aswini Kumar Dash, Advocate

-versus-

1. State of Orissa

2. S.P., Bargarh

***3. Inspector-in-Charge, Barpali
Police Station, Barpali, District-
Bargarh***

.....

Opposite Parties

Mr. S.J. Mohanty, ASC

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

20.03.2026

(Through hybrid mode)

Order No.

01.

1. This CRLMP has been filed for a direction to the Opposite Party No.2-S.P., Bargarh to instruct the Opposite Party No.3-IIC, Barpali to take further investigation of the Barpali P.S. Case No. 262 of 2025 in terms of the direction of the Hon'ble trial Court dated 02.01.2026 for the ends of justice.

2. In the date chart, the following list of dates and events are mentioned:

“Certified copy of the order dated 02.01.2026 and copy of F.I.R. Annexure-1 series)”

3. Hence, it is not possible to understand what is the case of the Petitioner from the perusal of the date chart.



4. The Synopsis is quoted below:

“The grievance of the petitioner is that the Barpali Police after registration of F.I.R in Barpali P.S. Case No.262/2025 corresponding to G.R. Case No.255/2025 did not investigate the case properly submitted final report before the Hon'ble Court wherein the petitioner prayed the learned Trial Court for further investigation as the police did not enquire the persons who have seen the occurrence or knowledge about the same. Further he had also never visited the spot nor raided the house etc. The Hon'ble Court after persuing the petition of the petitioner and following the decision of Hon'ble Supreme Court reported in 2008 SCC in the case of Sikri Vasu-vs-State of U.P directed the Police for further Opals 3 ride investigation by order dt.2.1.2026 and posted the case to 15.1.2026. The Barpali Police neither examined the informant nor followed the direction till 15.1.2026 causing prejudice of the petition.”

5. Mr. S.J. Mohanty, learned Additional Standing Counsel produces the instructions of the IIC, Barpali P.S. Case dated 13.03.2026 who has stated that none of the witnesses prove the allegations against the FIR, named accused persons except complainant and their family members.



6. Along with the CRLMP, the Petitioner has filed orders dated 24.12.2025 and 02.01.2026 in G.R. 255 of 2025 (FRT) passed by the learned J.M.F.C., Barpali.
7. By order dated 02.01.2026, the learned J.M.F.C., Barpali had directed the IIC, Barpali Police Station to investigate into the case under Section 193 (8) of the BNSS and posted the case to 15.01.2026 awaiting Final Form. Although this CRLMP has been filed on 3rd February, 2026, copy of the order dated 15.01.2026 has not been filed nor has it been mentioned in the CRLMP as to what order was passed on 15.01.2026.
8. This Court is not the executing Court for orders passed by the learned J.M.F.C., Barpali. The Petitioner has rushed to this Court without pursuing the matter before the learned Magistrate. I am therefore not inclined to entertain this CRLMP.
9. It is open to the Petitioner to approach the learned J.M.F.C., Barpali, in case, there is delay in completion of further investigation.
10. With these observations, the CRLMP is disposed of.
11. Urgent certified copy of this order be granted on proper application.

(Savitri Ratho)
Judge

puspa

