



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 252 of 2026

Nasiruddin Khan

.... **Petitioner**
Sk. Zafarulla, Advocate

-versus-

1. State of Odisha

**2. Superintendent of Police,
Bhadrak**

**3. Inspector-in-Charge, Puruna
Bazar Police Station, Bhadrak**

.... **Opposite Parties**

*Mr. Raj Bhusan Dash,
Additional Standing Counsel*

CORAM:

THE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

12.03.2026

Order No.

02.

(Through hybrid mode)

1. This CRLMP has been filed with the prayer for direction to the Opposite Party Nos.2 and 3 to look into the matter and to provide adequate police protection so that the Petitioner and his family members can enter into their house and live in their house peacefully.

2. On 05.03.2026, the following order had been passed:

“1. The grievance of the petitioner is that Puruna Bazar PS Case No. 96 of 2023 has been registered against the relatives of the petitioner, for which there was ill feeling in the village between the family of the petitioners as well as the informant's family. Although the petitioner is not an accused, on account of the unrest in the village and fear of disturbance, he and his family have been staying outside the village since 2023. Three years have elapsed in the meanwhile. Now, they want to go to their village, but account of fear of assault or disturbance which may be created by the family of the informant, the petitioner sent an application to the IIC, Puruna Bazar Police Station by



speed post on 30.01.2026 and on 02.02.2026 to the Superintendent of Police, Bhadrak, requesting for police protection. As no intimation has been received regarding extending police protection the petitioner has approached this Court.

2. List this matter on 12.03.2026 to enable Mr. S. J. Mohanty, learned Additional Standing Counsel to obtain instructions."

3. Instructions dated 11.03.2026 of the IIC, Purunabazar Police Station, Bhadrak are produced by Mr. R.B. Dash learned Additional Standing Counsel. The instructions are extracted below:

"In obedience to the orders a local enquiry caused in to the matter of petition filed by petitioner Nasruddin Khan and the findings are as follows.

That soon after the incident vides Purunabazar P.S. case No. 96 dtd. 4/4/23 there was commotion and people were agitated for which the inmates and other relatives including petitioner left village leaving abandoned their house in village Durgapur.

That after about 35/40 days of occurrence in the month of May -2023 when petitioner and relatives tried to return to their house, the OP members namely Sk. Sajrul Haque -37, Jiaa Usl Haque - 30, Najrool Haaque- 40 all are son of Ekram Ul Haque of same locality their nephew... Sk. Chand, Sk. Raja both son of Sk. Ibraar their relatives and some villagers had reacted vehemently and there was law and order like situation. Anticipating threat to their safety and security petitioner and relatives avoided to go to their houses than.

That again after about six months of the occurrence the younger father (first uncle) of petitioner namely Hafizuddin Khan S/O Samsuddin Khan the principal accused and his family members in the case when tried to return to his house with other relatives, again the OP members (brothers and other relatives of deceased) reacted vehemently and there was commotion against them. Hence Hafizuddin Khan S/O Samsuddin Khan and relatives fled away anticipating threat to their lives.

That during recent local enquiry caused in presence of village Sardar. No. 1. Sk. Kasim @ Butu-40 S/O Lt. Sk.



Hanid. Durgapur cell No. 9237232210, Sardar No. 2 Sk. Ghulam Ibrahim 42 S/O Sk. Dayaan Durgapur cell No. 9583300136 and village gentries as well as OP members. It is gathered that villagers and village sardars have no objection if the very petitioner returns to his residential house but they are skeptical and unsure about if any further breach of peace would not be repeated. Further maximum villagers reacted with lurking anger against first uncle of petitioner namely Hafizuddin Khan S/O Samsuddin Khan and his family members.

That at this juncture as there persists strong ill feelings amongst the OP members, their relatives and supporting villagers against the petitioner, his uncle and relatives, no free hand opinion can be drawn regarding petitioner returns with his family and other relatives to their houses for a safe and secure dwelling in the locality unless special arrangement and atmosphere generated in the locality.

Therefore prayer is placed before the Hon'ble court to allow some time for discussion with village gentries and address the issue properly for creating a conducive atmosphere in village for petitioner with his relatives to return to their house and necessary orders in this regard as pleased by the Hon'ble court.” (emphasis supplied)

4. On 05.03.2026, from the submission of Sk. Zafarulla learned counsel for the petitioner, this Court was of the impression that the petitioner was not an accused in Puruna Bazar PS Case No. 96 of 2023, but on perusal of the averments in the CRLMP, it is apparent that he was also an accused. Perusal of the FIR reveals that women are also accused. One Akram Ul Haque had died in the incident and after the occurrence, his family members and some villagers had assaulted the petitioner and also damaged his house, for which his family members had left the village. At that time most of the male members in their family were in jail. After submission of chargesheet all the accused persons have been granted bail. After their release, they wanted to return to their houses but were



threatened by the family members of the deceased. As it has become necessary for them to return to their houses, they had submitted applications before the IIC, Purunabazar Police Station and S.P., Bhadrak for extending protection to them to enable them to return to their homes and when this did not evoke any response, the petitioner has filed this CRLMP.

5. From the instructions of the IIC Puruna Bazaar Police Station, it is apparent that the villagers and village sardars are averse to the suggestion / idea of return of Hafizuddin Khan (uncle of the Petitioner) and his family members to the village. But they are not completely opposed to the return of the Petitioner to his residential house.

6. Sk. Zafarulla, learned counsel for the Petitioner submits that only the Petitioner and his immediate family members will go to their house on Monday i.e. on 16.03.2026. Before proceeding to the village, the petitioner shall intimate the IIC, Purunabazar Police Station, Bhadrak, in advance.

7. The petitioner and his family members cannot be prevented from going to their house or staying there permanently, especially when more than two years has elapsed since the incident. It is the duty of police to maintain law and order. At the same time, this Court cannot turn a deaf ear or blind eye to the possibility of disruption of law and order in the village, due to the ill feeling between two groups.

8. After hearing the learned counsel and perusing the instructions referred to above, it is directed that the petitioner and his immediate family members (wife and children) can go to their house in Village



– Durgapur, on 16.03.2026, provided they inform the IIC Purunakatak Police Station 24 hours in advance, before proceeding to their village, so that necessary steps will be taken and arrangements made by Opposite Party Nos. 2 and 3 to prevent disruption of law and order in the village.

9. The Petitioner and his family members shall avoid confrontation with the villagers opposed to them, so that there is no scope for any skirmish or clash. The Opposite Party Nos. 2 and 3 shall take stapes and make arrangements to ensure that the life and property of the petitioner and his wife and children are protected. The petitioner and his family members shall abide by the instructions of Opposite Party Nos. 2 and 3, so that peace and harmony is maintained in the village – Durgapur.

10. List this case on 24.03.2026 for further orders.

11. Report / instructions shall be submitted by the Opposite Party No.3 regarding developments in the meanwhile.

(Savitri Ratho)
Judge

RKS