



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.569 of 2026

Rajendra Kumar Khilar *Petitioner(s)*
Mr. Dayanidhi Mishra, Adv.

-versus-

State of Odisha & Anr. *Opposite Party(s)*
Mr. Amitav Pradhan, ASC

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order
No.

ORDER
25.02.2026

02. 1. This matter is taken up through hybrid arrangement.
2. In filing this CRLMC, the Petitioner being the storekeeper of the store from where the alleged articles have been stolen, has prayed for quashing the entire criminal proceeding initiated against him vide Sahadevkhunta P.S. Case No.311 of 2018 corresponding to C.T. Case No.2544 of 2018 pending before the Court of learned S.D.J.M, Balasore including the order of cognizance dated 04.08.2020 passed in the said C.T. Case.
3. Heard learned counsel for the respective parties and perused the records.
4. Learned counsel for the Petitioner submits that the above noted criminal proceeding has been initiated against the Petitioner only on suspicion as he being the



storekeeper of the said store was on duty on that day. It is contended that the Petitioner has been falsely implicated and bears no nexus whatsoever with the offences alleged in the impugned FIR. Learned counsel submits that continuation of the proceeding would amount to an abuse of the process of Court and result in undue harassment to the Petitioner. On these premises, he prays that this Court may be pleased to allow the relief sought in the present CRLMC and quash the impugned proceeding in the interest of justice.

5. In opposition, learned counsel for the State submits that pursuant to the registration of the F.I.R., investigation has been duly conducted and culminated in submission of charge-sheet against the Petitioner. It is contended that at this stage, when the investigating agency has found prima facie materials and placed the same before the learned Court below, there exists no compelling or exceptional circumstance warranting exercise of inherent jurisdiction to quash the proceeding.

6. Learned counsel further submits that the veracity of the allegations and the question of false implication are all matters to be adjudicated upon recording of evidence during course of trial. According to him, premature interference would stifle a legitimate prosecution. He prays for dismissal of the present CRLMC.



7. Having considered the rival submissions advanced on behalf of the parties and upon perusal of the materials available on record, this Court finds that the investigation has culminated in submission of charge-sheet. At this juncture, the question as to whether the Petitioner has in fact committed the offences alleged against him is essentially a matter to be adjudicated upon appreciation of evidence during trial.

8. It is trite that evaluation of factual controversies, assessment of credibility of witnesses, and appreciation of evidence fall squarely within the domain of the trial court. The inherent jurisdiction of this Court under Section 482 Cr.P.C. is not intended to supplant the statutory procedure of trial or to conduct a mini-trial at the pre-trial stage.

9. The power under Section 482 Cr.P.C. is to be exercised sparingly, with circumspection, and only in rare cases where the complaint or charge-sheet on its face discloses no offence, or where there exists a legal bar to the institution or continuance of the proceeding, or where continuation of the prosecution would amount to a manifest abuse of the process of Court. In the absence of such exceptional circumstances, judicial restraint must prevail.

10. In the present case, this Court does not find any patent illegality, jurisdictional error, or legal embargo warranting



interference. However, this Court grants liberty to the Petitioner to file a petition for discharge at the time of trial.

11. Accordingly, this Court declines to exercise its inherent jurisdiction to quash the aforesaid criminal proceeding.

12. This CRLMC is, accordingly, dismissed.

(Dr. Sanjeeb K Panigrahi)
Judge

Ayaskanta