



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1070 of 2025

Jayadev Jhoshi

....

Petitioner(s)

Mr. B. B. Swain, Advocate

-versus-

State of Odisha and another

....

Opp. Party(s)

Mr. S. N. Biswal, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

27.03.2025

Order No.

01.

1. Heard.

2. At the instance of the opposite party No.2, the F.I.R. dated 08.02.2025 in Banarpal P.S. Case No.55 of 2025 came to be registered against the petitioner for the alleged commission of offences punishable under Sections 339/296/356(2) of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. The complainant/opposite party No.2 filed a complaint being I.C.C. Case No.08 of 2024 before the court of the learned J.M.F.C., Banarpal on the allegation that the petitioner being the Branch Manager of UCO Bank, Banarpal possessed forged and fraudulent documents, where his signature has been manipulated and the same was within his knowledge. It is also alleged that the petitioner by using those forged documents with malafide intention



caused wrongful loss to the complainant and wrongful gain to the concerned bank and to the loanee M/s. B.K. Sahoo and sons. It is further alleged that the petitioner has not given correct information to his Superior Officer or to the Banarpal P.S. for creating such forged and fraudulent documents and manipulation of signatures of the complainant. On the strength of those fraudulent documents, the petitioner has committed the offences by mortgaging the property of the complainant on 23.08.2024. Hence, this case.

4. Learned counsel for the petitioner submits that the petitioner is the Branch Manager of UCO Bank whereas the opposite party No.2 was the guarantor to the loan availed by his wife, who is the principal borrower. Due to default in payment of the loan amount, recovery proceeding has already been initiated by the bank. The opposite party No.2, who stood as a guarantor to the loan availed by his wife has filed the present case against the petitioner, who is the Manager of the Bank.

4. Issue notice to the opposite parties. Mr. Biswal, learned Additional Standing Counsel appears on behalf of the State-opposite party No.1 and waives the notice.



5. Notice be issued to the opposite party No.2 by Speed Post/Registered Post with A.D., fixing short returnable date. Requisites shall be filed within three working days.
6. List this matter after five weeks.
7. In the meantime, the further proceeding in connection with Banarpal P.S. Case No.55 of 2025 corresponding to G.R. Case No.116 of 2025 pending in the Court of the learned J.M.F.C., Banarpal is stayed till the next date of hearing.

(S.S. Mishra)
Judge

Swarna

Signature Not Verified

Digitally Signed
Signed by: SWARNAPRAVA DASH
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 28-Mar-2025 14:01:34

