



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 281 of 2026

Sanjaya Kumar Patra

....

Petitioner

Mr. Swagat Kumar Sahu, Advocate

-versus-

***1. State of Odisha, represented through
its Secretary to Government, Home
Department, Bhubaneswar***

***2. The Superintendent of Police,
Ganjam Police***

3. The I.I.C., Aska Police Station

....

Opp. Parties

Mr. Sarathi Jyoti Mohanty,
Additional Standing Counsel

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

23.03.2026

Order No.

(Through hybrid Mode)

02. 1. The Petitioner is aggrieved by the inaction of the police in conducting proper / fair investigation in Aska P.S. Case No. 457 of 2025 corresponding to G.R. Case No. 1433 of 2025 pending in the Court of the learned J.M.F.C., Aska.
2. Perusal of the CRLMP reveals that Aska P.S. Case No. 457 of 2025 has been registered pursuant to direction of the learned J.M.F.C. (Cog.), Aska, Ganjam in I.C.C. Case No. 04 of 2025. Annexure-2 is the certified copy of the order dated 06.08.2025 which reveals that the case has been registered on 04.08.2025 under Sections 115(2), 119(2), 126(1), 129, 130, 308(1), 324(5), 333, 3(5) of BNS and FIR has been received



from the I.I.C., Aska and the matter was adjourned for receipt of final form without fixing any date.

3. Mr. Sarathi Jyoti Mohanty, learned Additional Standing Counsel produces the instructions dated 22.03.2026 of the I.I.C., Aska Police Station, where it is stated as follows:-

“Respectfully, with reference to the letter Number and subject cited above, I have honour to submit that on the written report of complt Sanjaya Kumar Patra (44) S/o-Bijaya Kumar Patra of village Taluka Road, Aska, PS- Aska, Dist- Ganjam who is the tenant of shop room number 01 of Aska Central Multipurpose Cooperative Society Ltd. In this connection Aska PS Case No - 457 Dtd.04.08.2025 U/S-115(2)/119(2)/126(1)/129/130/308(1)/324(5)/333/3(5) BNS 2023 has been registered and ASI Ashok Kumar Patnaik was entrusted to investigate the case.

During course of investigation the 10 has conducted the following actions :-

- 1. The IO has examined the complainant and visited the spot.*
- 2. The 10 examined the witnesses and recorded their statements u/s 180 BNSS*
- 3. On 06.08.2025 the 10 seized the meeting connected documents in between the president Kartikeswar Parida and other four members of dtd. 06.11.2024, 08.11.2024, 19.11.2024 for repairing of the shops which were provided to the shop keepers (03 sheets).*
- 4. On 06.08.2025 the 10 seized the meeting connected documents in between the president Kartikeswar Parida and other members along with the 08 numbers of tenants of dtd. 19.11.2024 for repairing of the shops which were provided to the 08 number of shop keepers in which the tenant*



having shop number 01 namely Sanjay Kumar Patra was also present and gave his signature (Sl No. 07). (02 sheets)

5. On 06.08.2025 the 10 seized the letter No 307(08) dtd. 20.11.2024 of the Aska Central Multipurpose Cooperative Society Ltd. for vacation of shop rooms as occupied by the tenants.

6. On 06.08.2025 the 10 seized the letter No 316 dtd. 09.12.2024 of the Aska Central Multipurpose Cooperative Society Ltd. to the executive Engineer, TPSODL Aska for temporary disconnection of 08 numbers of shop rooms provided to the tenants.

7. On 06.08.2025 the 10 seized the letter which was given by the tenant Sanjaya Kuamr Patro having shop room Number 01 and which was received on dtd. 30.11.2024 by Aska Central Multipurpose Cooperative Society Ltd.

8. On 06.08.2025 the 10 seized letter No 312 dtd 30.11.2024 of Aska Central Multipurpose Cooperative Society Ltd. given to the tenant of shop room number 01 regarding vacation of shops

9. On 06.08.2025 the 10 seized letter No 325 dtd 19.12.2024 of Aska Central Multipurpose Cooperative Society Ltd. to accord necessary police protection requesting clearing of the damaged shop rooms.

10. On 06.08.2025 the 10 seized the document where the 07 members of tenants except the tenant Sanjay Kumar Patro gave their consent for reconstructing/repairing the shop rooms and they vacant the rooms and handed over the keys to AMPCS



11. On 06.08.2025 the 10 seized the copy of notice having letter No 358 dtd. 27.01.2025 regarding the room number 01 possessed by the tenant Sanjya Kumar Patro.

12. On 06.08.2025 the 10 seized the letter No 356 dtd. 27.01.25 of the Aska Central Multipurpose Cooperative Society Ltd. to the executive Engineer, TPSODL Aska for disconnection of shop room number 01 provided to the tenant Sanjay Kumar Patro.

13. On 06.08.2025 the 10 seized letter No 362 dtd. 14.02.2025 regarding the vacation of shop number 01 of ACMPCS Lt. Aska. In this letter it is also mentioned that the tenant Sanjaya Kumar Patro did not paid rupees Rs 63,800/- about the house rent.

14. On 06.08.2025 the 10 seized a document (notice) against Sanjya Kumar Patro to make payment of the rent dues of amount 63,800 (sixty three thousand eight hundred rupees only)

15. On 21.04.2025 when the Aska Central Multipurpose Cooperative Society Ltd. members tried to vacate all the 08 numbers of shop rooms for repairing work, the tenant Sanjaya Kumar Patro having room number 01 did not cooperate and did not vacate the shop room for these in the presence of police personal and other members of the society 26 articles from the shop number 01 has been recovered and requested to Sanjaya Kumar Patro to receive the articles but he denied to receive it. So the 26 articles are kept at society godown safely (01 sheet).

The case is under investigation and pending for supervision. The FIR named alleged persons are cooperating the investigation of the case.”



4. From a perusal of the instructions, it is apparent that after 06.08.2025, no investigation has been taken up by the I.I.C., Aska Police Station.

5. Perusal of order dated 04.08.2025 reveals that even though the case has been registered on the direction of the learned J.M.F.C. (Cog.), Aska, Ganjam, but the learned J.M.F.C. has not fixed any date in the case on 06.08.2025. The instructions dated 22.03.2026, submitted by Mr. Mohanty, learned Additional Standing Counsel, reveal that after 06.08.2025, there has been no investigation in the case.

6. Hence, the CRLMP is disposed of directing the I.I.C., Aska Police Station / concerned I.O. to take up investigation of the case and submit the final form of the investigation before the learned J.M.F.C. (Cog.), Aska, Ganjam in accordance with law.

7. It is open to the Petitioner to move the learned J.M.F.C. (Cog.), Aska, Ganjam in case there is delay in the submission of final form.

8. Urgent certified copy of this order be granted on proper application.

(Savitri Ratho)
Judge

Sukanta