



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1088 of 2025

Sankuntala Sahoo

....

Petitioner(s)

Mr. P. C. Nayak, Advocate

-versus-

State of Odisha and another

....

Opp. Party(s)

Mr. S. Panda, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

27.03.2025

CRLMC No.1088 of 2025 & I.A. No.705 of 2025

Order No.

01.

1. Heard.

2. The petitioner is seeking quashing of the F.I.R. dated 26.01.2022 in connection with Badagada P.S. Case No.34 of 2022 arising out of 1.C.C. Case No.5783 of 2021 corresponding to C.T. Case No.556 of 2022 pending in the Court of the learned S.D.J.M., Bhubaneswar on the ground that in paragraph-6 of the complaint petition, the complainant/opposite party No.2 has categorically admitted that he has not approached the police before resorting to the remedy under Section 156(3) of Cr.P.C.

3. Hence, learned counsel for the petitioner submits that the complaint under Section 156(3) of Cr.P.C. was not entertainable. However, the S.D.J.M., Bhubaneswar has not only entertained the



application but also passed a direction, on the basis of which F.I.R. being Badagada P.S. Case No.34 of 2022 has been registered.

4. Issue notice to the opposite parties. Mr. Panda, 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 three weeks.

7. In the meantime, the further proceeding in connection with Badagada P.S. Case No.34 of 2022 arising out of 1.C.C. Case No.5783 of 2021 corresponding to C.T. Case No.556 of 2022 pending in the Court of the learned S.D.J.M., Bhubaneswar 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

