



A.F.R.

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 797 of 2026

(In the matter of an application under Section 482 of Criminal Procedure Code, 1973/ Section 528 of Bharatiya Nagarik Suraksha Sanhita).

G. Satyanarayan & Ors.

....

Petitioner(s)

-versus-

Union of India(CBI)

....

Opposite Party (s)

Advocates appeared in the case through Hybrid Mode:

For Petitioner(s)

:

Mr. Krushna Chandra Dash, Adv.

For Opposite Party (s)

:

*Mr. Sarthak Nayak,
Special Public Prosecutor for CBI*

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

DATE OF HEARING:-16.04.2026

DATE OF JUDGMENT:-22.05.2026

Dr. Sanjeeb K Panigrahi, J.

1. The Petitioner, by way of the present petition, has assailed the non-release of his seized mobile phones, laptops, and locker keys, despite repeated directions/orders dated 09.01.2026 and 11.02.2026 passed by the learned Trial Court/Special Judge (CBI Court No. 1), Bhubaneswar, in CMC No. 101 of 2025 arising out of RC Case No. 05(A) of 2025. The said case has been instituted for the alleged commission of offences punishable under Sections 7, 7A, 8, 9, 10, and 12 of the Prevention of Corruption Act, 1988 as amended in 2018, read with Section 120-B of the Indian Penal Code.



I. FACTUAL MATRIX OF THE CASE:

2. The brief facts of the case are as follows:

- (i) On 28.06.2024, an F.I.R. bearing No. RC2172024A0010 was initially registered against one Sri Prem Singh Bhanot, the then General Manager, Food Corporation of India, Odisha Region, Bhubaneswar. During the course of investigation in the said case, it was alleged that the said accused had received bribe amounts through different middlemen, including the Petitioners, from various accounts.
- (ii) Resultantly, a second F.I.R. bearing Case No. RC2172025A0005 came to be registered on 03.03.2025 by the Deputy Superintendent of Police, CBI, New Delhi, arising out of the same cause of action, against the said Prem Singh Bhanot as well as the present Petitioners. The offences alleged therein are punishable under Sections 7, 7A, 8, 9, 10, and 12 of the Prevention of Corruption Act, 1988 (as amended in 2018), read with Section 120-B of the Indian Penal Code.
- (iii) During the course of search operations conducted by the investigating team of the CBI between 05.03.2025 and 07.03.2025, several articles and documents were seized from the respective Petitioners. The seizure included 19 documents, two mobile phones, one laptop, and two bank locker keys from Petitioner Nos. 1 and 2; five documents and one mobile phone from Petitioner No. 3; and two mobile phones from the residence of Petitioner No. 4.



- (iv) During the pendency of the case, the Petitioners filed an application before the learned Special Judge (CBI Court No. 1), Bhubaneswar, being CMC No. 101 of 2025 under Sections 497 read with 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking release of the seized electronic devices and locker keys pending disposal of RC Case No. 05(A) of 2025.
- (v) After affording opportunity of hearing to the parties, the learned Trial Court, by order dated 09.01.2026, directed the Investigating Officer to release the seized mobile phones, laptop, and locker keys in favour of the respective Petitioners. Subsequently, vide order dated 11.02.2026, the indemnity bonds furnished by the Petitioners were duly accepted. Both the aforesaid orders were passed in the presence of the learned counsel appearing for the CBI and were thereafter communicated to the Investigating Officer for due compliance.

Being aggrieved by the aforesaid facts and circumstances, the Petitioner has been constrained to approach this Court by filing the present CRLMC Application seeking appropriate relief in accordance with law.

II. SUBMISSIONS ON BEHALF OF THE PETITIONER:

- 3. The learned counsel for the Petitioner respectfully and earnestly made the following submissions in support of his contentions:
 - (i) The Petitioners submit that despite receipt and due knowledge of the orders dated 09.01.2026 and 11.02.2026 passed by the learned Trial Court, no steps have been taken by the CBI authorities towards compliance thereof. It is contended that the continued



inaction and failure to respond to or implement the judicial directions issued by a competent Court is wholly unjustified, arbitrary, and devoid of reasonableness, and runs contrary to the settled principles of justice, fair play, and the rule of law.

- (ii) The Petitioners further submit that the learned counsel appearing on behalf of the CBI orally advised the Petitioners to travel to New Delhi for obtaining release of the seized mobile phones on the ground that the F.I.R. had been registered by the New Delhi office and that the Investigating Officer was posted there. However, the Petitioners contend that the entire cause of action, investigation, seizure, and the consequential judicial proceedings are admittedly continuing before the competent Court at Bhubaneswar, and therefore, insisting upon the Petitioners to approach New Delhi for compliance of the release orders is wholly unreasonable and unsustainable in law.
- (iii) It is submitted that the Petitioners are small businessmen and labour contractors carrying on their activities from Bargarh and have been unnecessarily implicated in the present case merely because their phone numbers allegedly appeared in the contact list of the principal accused, namely Prem Singh Bhanot. The Petitioners contend that the seized mobile phones are indispensable for their day-to-day business operations, communication with clients and associates, and for earning their livelihood, and that continued deprivation thereof has caused serious prejudice and hardship to them.



- (iv) It is the contention of the Petitioners that non-release of the seized electronic devices has caused immense hardship in the conduct of their business activities, thereby directly affecting their means of livelihood and their ability to maintain and support their respective families.
- (v) It is further submitted that prolonged non-use of the seized mobile phones and laptop, particularly when kept switched off without periodic charging and maintenance, carries a substantial risk of permanent damage to the devices, while the SIM cards associated therewith may also become deactivated or blocked, resulting in irreparable prejudice to the Petitioners.
- (vi) The Petitioners further contend that the Investigating Agency has already completed the substantial part of the investigation, and the relevant data contained in the seized electronic devices has been duly extracted, copied, recovered, and preserved for the purpose of investigation and trial.
- (vii) It is, therefore, submitted that no useful purpose would now be served by continued retention of the seized articles by the Investigating Agency. The Petitioners further assert that they have already furnished the requisite surety and indemnity bonds pursuant to the directions of the learned Trial Court, thereby satisfying all conditions imposed for release of the said articles.
- (viii) The Petitioner further submits that they have already submitted a detailed representation before the Head of Branch (DIG), CBI, Unit-8, Nayapalli, Bhubaneswar, specifically highlighting their



financial hardship and practical difficulties. It is contended that the Petitioners are permanent residents of Bargarh, situated at a considerable distance from Bhubaneswar, and that two amongst them are senior citizens who are neither physically nor financially in a position to undertake travel to New Delhi merely for the purpose of obtaining release of the seized articles. The Petitioners, therefore, assert that the insistence upon their presence at New Delhi is arbitrary, oppressive, and causes undue hardship.

- (ix) The Petitioners further submit that they have requested the Head of Branch (DIG), CBI, Bhubaneswar, to make necessary and expeditious arrangements for bringing back the seized electronic articles from the custody of the Investigating Officer at New Delhi to the Bhubaneswar office, so as to facilitate due compliance with the orders passed by the learned Trial Court. It is contended that unless appropriate directions are issued by this Hon'ble Court to the concerned CBI authorities for handing over the seized articles at the Bhubaneswar office, the Petitioners shall suffer serious prejudice, hardship, and irreparable loss.

III. SUBMISSIONS ON BEHALF OF THE OPPOSITE PARTIES:

4. *Per contra*, the learned counsel for the Opposite Parties earnestly made the submission that the present CRLMC is not maintainable before this Court and deserves to be rejected in limine.



- (i) The Opposite Party submits that the investigation in the instant case is still at a nascent and crucial stage, and that detailed scrutiny and examination of the seized mobile phones, laptop, and incriminating documents belonging to the accused persons are essentially required for the purpose of unearthing the alleged deep-rooted criminal conspiracy. It is contended that the seized electronic devices may contain vital digital evidence relevant to the investigation, and therefore, the learned Special Judge has erroneously directed release of the seized articles in favour of the Petitioners vide order dated 11.02.2026.
- (ii) The Opposite Party further contends that scrutiny of the WhatsApp chats, bank account statements, and other materials collected during investigation has revealed that illegal money belonging to the prime accused, namely Banoth Prem Singh, amounting to approximately Rs.347.04 lakhs, had allegedly been parked with Petitioner No. 1, namely G. Satyanarayan, from time to time. It is submitted that the said transactions are further corroborated by certain handwritten notes and records allegedly shared and maintained by the said Petitioner.
- (iii) The Opposite Party further contends that, out of the aforesaid amount, a sum of Rs.247.30 lakhs was allegedly transferred to different bank accounts and disbursed to various persons for diverse purposes at the instance of the prime accused. It is submitted that the WhatsApp chats and other digital communications disclose specific instructions purportedly issued



by Banoth Prem Singh to Petitioner No. 1, namely G. Satyanarayan, pursuant to which amounts of Rs.5 lakhs and Rs.5 lakhs + Rs.5 lakhs were allegedly transferred from the bank account of M/s Shri Venkateswara Seeds on 10.05.2024, 09.05.2024, and 14.05.2024 respectively. It is further alleged that an amount of Rs.25 lakhs transferred by the said firm to M/s SP Traders & Suppliers was also made on the instructions of Banoth Prem Singh and constituted part of his alleged benami income.

- (iv) The Opposite Party further contends that Petitioner No. 1 was actively managing and handling the alleged ill-gotten money of Banoth Prem Singh. It is submitted that M/s Shri Venkateswara Seeds is a partnership firm substantially controlled and managed by Petitioner No. 1, wherein his son, namely Uma Maheswar, and his brother-in-law, namely M. Mohan Rao, are shown as partners. It is further alleged that Petitioner No. 1 was also dealing with matters relating to the Food Corporation of India (FCI) through another entity, namely M/s Vardhan Associates, which stands in the name of his son.
- (v) The Opposite Party contends that the financial transactions between Petitioner No. 1 and Banoth Prem Singh are prima facie indicative of undue advantages obtained by the said public servant through abuse of his official position. Particular emphasis has been laid on an alleged direct transfer of Rs.50,000/- from the bank account of M/s Shri Venkateswara Seeds to the bank



account of Banoth Prem Singh, which, according to the prosecution, prima facie points towards a direct bribe transaction.

- (vi) The Opposite Party has placed reliance on decision of this court in the case of *CBI Vs. Saroj Kumar Das*,¹ wherein, vide order dated 13.02.2026, this Court had set aside a similar order passed by the learned Special Judge directing release of seized articles on zimanama. It is submitted that this Court, in the said decision, categorically held that seized mobile phones, laptops, gold articles, and documents shall remain in the custody of the Investigating Agency or the learned Trial Court, as the case may be, in properly sealed condition and subject to further orders in accordance with law.
- (vii) The Opposite Party further contends that the CBI has already preferred an appeal before the High Court of Odisha on 06.04.2026 challenging the order dated 11.02.2026 passed by the learned Special Judge, CBI Cases, Bhubaneswar, whereby direction has been issued for release of the seized articles in favour of the Petitioners.
- (viii) In view of the aforesaid facts and circumstances, the Opposite Party contends that the averments and allegations made by the Petitioners are misconceived, misleading, and devoid of any substantive merit. It is, therefore, prayed that the present application, being untenable in law and facts, deserves to be dismissed in the interest of justice.

¹ CRLMC No. 3140 of 2025



IV. COURT'S REASONING AND ANALYSIS:

5. Heard Learned Counsel for parties and perused the documents placed before this Court.
6. At the outset, it is to be noted that the scope of interference in exercise of inherent jurisdiction under Section 482 of the Code of Criminal Procedure is well settled.
7. It is further a well-settled principle of law that while exercising its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, the High Court ought not to embark upon a meticulous enquiry into the reliability, admissibility, or sufficiency of the evidence collected during investigation.
8. The scope of interference at such stage is inherently limited and is required to be exercised sparingly, with great caution, and only in exceptional circumstances where continuation of the criminal proceeding would amount to an abuse of the process of Court or where no offence is disclosed on the face of the record.
9. In the realm of criminal jurisprudence, the delicate balance between the powers of search and seizure vested in the investigating agencies and the individual's right to privacy and property constitutes a foundational pillar of a fair, just, and constitutional society. The criminal justice system, while empowering law enforcement authorities to conduct effective investigation and collection of evidence, simultaneously mandates adherence to the principles of due process, fairness, and reasonableness so as to safeguard individuals from arbitrary or excessive exercise of State power.



10. At the core of this balance lies the constitutional obligation to ensure that investigative powers are exercised strictly within the bounds of law, while also preserving the efficacy and integrity of criminal investigation in the larger interest of justice.
11. The CBI Manual, governing the procedure for investigation and handling of electronic evidence, mandates generation and preservation of hash values in respect of seized digital devices such as mobile phones, laptops, and other electronic gadgets during the course of investigation. The purpose of generating such hash values, in consonance with the provisions and principles underlying the Information Technology Act, is to ensure the authenticity, integrity, and sanctity of the electronic evidence, and to safeguard the seized devices and extracted data from any possibility of tampering, alteration, or manipulation during the course of investigation and trial.
12. In the present case, the Petitioners have approached this Court seeking release of the seized articles, namely the mobile phones, laptops, and locker keys, which were taken into custody during the course of investigation by the Investigating Agency.
13. At this juncture, this Court finds it appropriate to refer to the judgment rendered in *Central Bureau of Investigation vs. Saroj Kumar Das*,² wherein it has been authoritatively held that seized property ought not to be retained in official custody for a duration longer than what is absolutely necessary for the purposes of investigation or trial.

² 2026 SCC Online Ori 610



“14. The guiding principle is that seized property ought not to be retained in official custody longer than is absolutely necessary.

15.The default approach, therefore, is to release the property on interim custody to its owner or the claimant, once its immediate evidentiary use is secured, rather than allowing it to remain in official custody indefinitely. Prolonged deprivation of property causes hardship and prejudice, and is to be avoided unless the retention of the article is absolutely necessary for the purposes of justice.”

14. It was observed therein that prolonged deprivation of property causes undue hardship, serious prejudice, and unnecessary suffering to the affected party, and therefore, continued retention of seized articles cannot be justified unless such retention is shown to be indispensable for the ends of justice and effective adjudication of the case.
15. Applying the aforesaid settled principle to the facts and circumstances of the present case, this Court is of the considered opinion that the continued delay and prolonged retention of the seized articles, in the absence of any compelling or legally sustainable justification, is arbitrary in nature and runs contrary to the principles of fairness, proportionality, and expeditious administration of criminal justice.
16. Accordingly, upon a careful consideration of the materials available on record and the submissions advanced by the respective parties, this Court finds sufficient merit in the present Petition. Consequently, the Petition stands allowed in the interest of justice.



V. CONCLUSION:

17. In view of the foregoing analysis, and upon an anxious, careful, and comprehensive consideration of the material facts, records, and circumstances attendant to the present case, this Court is of the considered opinion that having due regard to the nature of the seized articles, the hardship and necessity pleaded by the Petitioners, and the fact that the relevant data and materials are stated to have already been preserved by the Investigating Agency, this Court deems it proper and appropriate to direct release of the seized materials in favour of the Petitioners, subject to stringent terms and conditions to ensure their production as and when required during the course of investigation or trial.
18. Accordingly, the CRLMC stands allowed.
19. Interim order, if any, passed earlier stands vacated.

(Dr. Sanjeeb K Panigrahi)
Judge

*Orissa High Court, Cuttack,
Dated 22nd May, 2026*