



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.888 of 2026

Sushil Kumar Sahoo @

Ganesh & Ors.

....

Petitioner(s)

Mr. Pronoy Mohanty, S.N. Dash, S.K. Sahu,

K.T. Mudali, P. Pani, Adv.

-versus-

State of Odisha

....

Opposite Party(s)

Ms. Gayatri Patra, ASC

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

ORDER

Order No.

01.

25.03.2026

1. This matter is taken up through hybrid arrangement.
2. By filing the present CRLMC, the Petitioners have prayed for quashing the entire criminal proceedings initiated against them vide Nandankanan P.S. Case No.222 of 2025 vide Annexure-1 and the charge sheet vide C.S. No.309 of 2025 under Annexure-2.
3. Heard learned counsel for the respective parties.
4. Learned counsel for the Petitioners submits that the F.I.R. has been lodged on the basis of a wholly false and concocted story fabricated by the police officials. It is contended that Petitioner No.1 is a businessman having his own godown at Kalyanpur Mouza, and the other Petitioners are staff and labourers working therein.



5. Learned counsel further contends that, as per the F.I.R., the police officials allegedly conducted a raid at the godown of Petitioner No.1 at about 1:15 A.M. on 14.06.2025. However, it is submitted that the CCTV footage reveals that the police officials had already arrived at the spot at 11:09 P.M. on 13.06.2025 and left the premises at about 11:37 P.M. on the same night after allegedly arresting the Petitioners, thereby contradicting the version recorded in the F.I.R.

6. Learned counsel for the Petitioners further contends that serious allegations have been levelled against the police officials, including their involvement in vigilance cases and a tainted service record with repeated accusations of bribery, criminal intimidation, etc. It is argued that such circumstances give rise to a reasonable apprehension that the investigation has been conducted in an unfair and biased manner. On this ground, it is urged that the F.I.R. and the charge-sheet (Annexures-1 & 2) are liable to be quashed.

7. . Learned counsel for the Petitioners further submits that even upon a bare perusal of the F.I.R. and the charge-sheet, and assuming the allegations therein to be true in their entirety, no cognizable offence is made out against the present Petitioners.

8. Learned counsel for the Petitioners further contends that from the bare perusal of the F.I.E. and the charge sheet,



even if it is taken at face value, the same does not constitute any cognizable offence against the present Petitioners.

9. Learned counsel for the Petitioners further contends that the present proceedings have been initiated with malicious and vexatious intent, allegedly due to personal grudge against the Petitioners. It is argued that continuation of such proceedings would amount to an abuse of the process of Court and result in undue harassment to the Petitioners. Accordingly, a prayer is made for quashing of the impugned proceedings in exercise of inherent jurisdiction.

10. *Per contra*, 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 Petitioners. 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.

11. 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. She prays for dismissal of the present CRLMC.



12. 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 them is essentially a matter to be adjudicated upon appreciation of evidence during trial.

13. 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.

14. The power under Section 528 of B.N.S.C. (corresponding to 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.

15. In the present case, this Court is not inclined to quash the entire criminal proceeding initiated against the



Petitioners. However, it is observed that if the Petitioners approach the learned trial Court by filing an appropriate application for discharge at the relevant stage, the same shall be considered in accordance with law. In the event of any delay in filing such application, the trial Court shall also consider the same in accordance with law.

16. This CRLMC is, accordingly, disposed of.
17. Pending application (s), if any, shall stand disposed of.
18. Issue urgent certified copy of this order as per Rules.

(Dr. Sanjeeb K Panigrahi)
Judge