



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.188 of 2025

Parsuram Sahu **Petitioner**

Mr. L. Achari, Advocate

-Versus-

State of Odisha & another **Opposite Parties**

Mr. P.K. Sahoo, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

11.12.2025

Order No.

06.

1. Heard Mr. Achari, learned counsel for the petitioner and Mr. Sahoo, learned ASC for the State.
2. Instant revision is filed by the petitioner challenging the impugned order dated 6th February, 2025 passed in connection with G.R. Case No.760 of 2018 by the learned J.M.F.C.(Rural), Berhampur, Ganjam on the grounds stated.
3. Mr. Achari, learned counsel for the petitioner submits that the dispute between the parties is civil in nature and, therefore, the application for discharge was filed before the learned court below at the instance of the petitioner, however, it has led to the passing of the impugned order at Annexure-2 series. It is further submitted that a suit in C.S. No.162 of 2017 is pending in the file of learned Civil Judge (Sr. Division), Berhampur, Ganjam instituted by one of the sisters, namely, opposite party No.2 and in such view of the matter, any such



report lodged leading to the filing of chargesheet and ultimately denial of discharge of the petitioner is per se illegal and therefore, the impugned dated 6th February, 2025 in G.R. Case No.760 of 2018 is liable to be interfered with and set at naught.

4. On the other hand, Mr. Sahoo, learned ASC for the State submits that the petitioner is alleged of having suppressed material facts and managed to dispose of the property in question and has also been alleged of filling false affidavit and as a result, mutation has taken place in respect thereof, consequent upon which, the FIR was lodged by opposite party No.2 and ultimately, resulted in the submission of the chargesheet under Sections 467, 468 and 420 read with 34 IPC pending in the court of learned J.M.F.C. (Rural), Berhampur in G.R. Case No.760 of 2018.

5. Perused the FIR as at Annexure-1 series. Learned court below has taken cognizance of the alleged offences after receipt of the chargesheet. Initially, a complaint was filed by opposite party No.2 registered as ICC Case No.58 of 2018, whereafter, converted as a G.R. case by the learned court below and therein, the chargesheet was filed finally as revealed from Annexure-1 series. The allegations in the FIR as made to suggest is that the petitioner dishonestly mutated the property in question by claiming that their mother is dead and father, namely, Gananatha Sahu had no daughter. In course of investigation, the truth was unravelled and also about the mischief committed by the petitioner leading to the filing of the chargesheet.



6. Under the above circumstances, notwithstanding any such dispute between the parties and the institution of suit by opposite party No.2 in C.S. No.162 of 2017, this Court is not inclined to accept the contention of Mr. Achari, learned counsel for the petitioner that the dispute remains civil in nature. In fact, for the alleged mischief and manipulation at the behest of the petitioner, the FIR has been lodged. In other words, this Court reaches at a conclusion that on any such ground about the suit being filed by opposite party No.2, the criminal action initiated against the petitioner cannot be interfered with when the alleged offences are said to have been committed by him and proved prima facie sufficient to go for trial. Thus, in the ultimate view of the Court, the learned court below did not commit any serious error or illegality in declining discharge of the petitioner, while entertaining an application under section 239 Cr.P.C.

7. Accordingly, it is ordered.

8. In the result, the revision petition stands dismissed.

(R.K. Pattanaik)
Judge