



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 676 of 2026

Makar Singh

....

Petitioner

None

-versus-

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

***2. Superintendent of Police,
Kendrapara***

3. I.I.C., Marshaghai Police Station

....

Opp. Parties

Mr. Ashok Kumar Apat,
Additional Government Advocate

CORAM:

THE HON'BLE MISS JUSTICE SAVITRI RATHO

Order No.

**ORDER
22.06.2026**

(Through Hybrid Mode)

01. 1. None appeared for the Petitioner when the matter was called in the first hour (the matter was listed at Sl. No.2) so it was passed over. When the matter is called after recess, none appears on behalf of the Petitioner.
2. This CRLMP has been filed with a prayer to direct the Opposite Party No.3 to take legal action and register the case under Section 109 of BNS, 2023.
3. From a perusal of Annexure-1, the copy of the FIR in Marsaghai P.S. Case No. 84 of 2026, it is apparent that it has been registered under Sections 126(2), 115(2), 296, 308(4), 351(3) and 3(5) of BNS against one Papu Behera and others.



4. Copy of the prescription of the Petitioner dated 24.02.2026 of the DHH, Kendrapara has been annexed as Annexure-2 which indicates that he has sustained a stitched injury on the left CAC.
5. It is the settled position of law that the FIR is not the encyclopedia of the case. If during investigation the Investigating Officer finds materials which make out an offence under Section 109 of BNS against the accused persons, he/she is duty bound to include the said offence and proceed with the investigation of the same and include the offence in the final form.
6. If the Petitioner is in any way aggrieved by the result of the investigation, he is at liberty to challenge the same in the appropriate forum.
7. With this observation, the CRLMP is disposed of.
8. Urgent certified copy of this order be granted on proper application.

(Savitri Ratho)
Judge

Sukanta