



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.860 of 2026

Chinmayee Panda

.... **Petitioner**
Mr. H. Panda, Advocate

-Versus-

State of Odisha & others

.... **Opposite Parties**
Mr. M.K. Mohanty, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

27.07.2026

Order No.

03.

1. Heard learned counsel for the respective parties.
2. Instant CRLMP is filed by the petitioner for a direction to the opposite parties and particularly, opposite party Nos. 2 and 3 to register the FIR and investigate the matter taking proper action against the miscreants named therein.
3. This Court by order dated 20th July, 2026 had directed the Registry to submit a report/clarification as to if identification by the Attache in the Indian Embassy amounts to swearing of an affidavit. Pursuant to the above, the S.R. is at Flag-10 and therein, it is indicated that the declaration is not an affidavit and hence, the CRLMP is not supported by it as required under law.
4. The written instruction received by the IIC, Chhend P.S. from the I.O. concerned is brought to the notice of the Court by Mr. Mohanty, learned ASC for the State, wherein it is



stated that the property in question is a residential building and it is not being used for commercial purpose and the RMC, Rourkela stopped construction work of the said building, which is presently locked with no restaurant run from there. In reply, Mr. Panda, learned counsel for the petitioner submits that the accused named in the FIR is in forceful possession of the alleged property and is not vacating the same, hence, the FIR by the petitioner.

5. Recording submission and response of the State and in view of the order dated 20th July, 2026 received back with a report at Flag-10 and regard being had to Article 5(f) of the Vienna Convention on Consular Relations dated 24th April, 1963, to which India is a signatory, this Court is inclined to hold that the verification/identification by the Attache in the Indian Embassy amounts to swearing of an affidavit as he acted in the capacity of Notary in terms thereof.

6. Instant CRLMP is filed by the petitioner for a direction to register the FIR on the grounds stated.

7. A copy of the FIR is at Annexure-1, wherein it is alleged that the accused named is guilty of criminal breach of trust and trespass with the termination of lease in his favour with such other allegations made therein. The petitioner is at present in Bucharest, Romania and lodged the FIR as per Annexure-1. Mr. Panda, learned counsel submits that despite an



intimation through E-mail vide Annexure-2 to opposite party No.2, no case has been registered on the FIR. Recorded the submission of Mr. Mohanty, learned ASC for the State. In view of the fact that such a complaint has been made to the P.S. concerned and it has been received by opposite party No.3 and even a representation is addressed to opposite party No.2, this Court, considering the limited grievance of the petitioner, is inclined to direct the PS concerned to register a case forthwith and to take up investigation on the allegations made at the earliest without further delay.

8. Accordingly, it is ordered.

9. In the result, the CRLMP stands disposed of with the direction as aforesaid.

10. Issue urgent copy of this order as per rules.

11. A copy of the order be handed over to Mr. Mohanty, learned ASC for the State for its onward intimation to opposite party Nos.2 and 3 for early compliance.

(R.K. Pattanaik)
Judge