



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No. 391 of 2026

1. Shammullah @ Mohammed *Petitioners*
Shameeullah Rehman
2. Md Ishaque @ Mohammad
Ishaque

Mr. A.K. Nanda, Advocate

-versus-

1. State of Odisha *Opposite Parties*
2. Samina Begum

Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

22.06.2026

Order No.

02. 1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. It is submitted that in the view of the judgment of the Apex Court in the case of ***Y. Abraham Ajith & Ors. vs. Inspector of Police, Chennai & Anr.*** reported in **(2004) 8 SCC 100**, the exercise of jurisdiction by the learned Court in seisin is in violation of the salutary principles under Section 177 Cr.P.C.
3. It is also his submission that in directing the Petitioners to face trial, the learned Court has also abdicated its jurisdiction in view of the powers conferred under Section 227 of Cr.P.C. and in this



context learned counsel relies on the judgment of the Apex Court in the case of ***Karan Talwar vs. State of Tamil Nadu*** reported in ***2024 SCC OnLine SC 3803***.

4. Taking into account the submission of the learned counsel for the Petitioners that no part of the cause of action has arisen before the learned Court in seisin and considering the factual matrix of the case at hand, issue notice to the Opposite Parties.

Since learned counsel for the State accepts notice on behalf of Opposite Party No.1, no further notice need be issued to the said Opposite Party.

Notice to the Opposite Party No.2 be issued by Speed Post. Requisites shall be filed by 29.06.2026.

5. List this matter on 22.07.2026.

6. Learned counsel for the State is requested to obtain the Case Diary by the next date.

(V. Narasingh)
Judge

I.A. No.605 of 2026

Order No.

- | | |
|-----|--|
| 02. | 1. Issue notice as above. |
| | 2. Accept one set of process fee. |
| | 3. As an interim measure, it is directed that there shall be stay of further proceeding in C.T. Case |



No.816 of 2024 pending in the Court of learned S.D.J.M., Bhawanipatna till the next date.

4. List this matter on the date fixed (22.07.2026).

(V. Narasingh)
Judge

Ayesha