



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.715 of 2026

(CNR No.ODHC010403232026)

Nilanchal Majhi

....

Petitioner

Mr. S. K. Joshi, Advocate

-Versus-

State of Odisha and others

....

Opposite Parties

Ms. B.K. Sahu, AGA

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

05.08.2026

Order No.

04.

1. Learned counsel for the respective parties.
2. Instant CRLMP is filed by the petitioner for a direction to opposite party No.3, in particular, to register a regular FIR on the complaint as per Annexure-1 for appropriate legal action on the grounds stated.
3. Perused the complaint as at Annexure-1.
4. Mr. Joshi, learned counsel for the petitioner submits that the complaint was not accepted by the police, hence, it was sent by the Post and duly received by them referring to the Postal receipt i.e. Annexure-2. Further citing the post-mortem report at Annexure-3, it is submitted by Mr. Joshi, learned counsel that the deceased had injuries but it was not on account of any accident. The further submission is that the injuries found on the body of the deceased could not have been



received in a train accident, hence, therefore, a detail enquiry and investigation is necessary with a direction in that regard to opposite party No.2.

5. Recorded the submission of Ms. Sahu, learned AGA for the State. Also perused the affidavit of opposite party No.3 as at Flag-10. Referring to the said affidavit, Ms. Sahu, learned AGA submits that during enquiry, it was revealed that the deceased accidentally came in front of a goods train and was hit and it has been corroborated by the Loco Pilot named therein and therefore, there is nothing suspicious for the police to register any FIR.

6. Mr. Joshi, learned counsel for the petitioner submits that a death of the deceased has taken place under suspicious circumstances as it not a case of a train accident considering the fact that he had couple of injuries and his vehicle was found almost at the distance of one kilometer from the rail track where his body was found.

7. Apart from the reason assigned as accident and the affidavit filed by opposite party No.3, this Court finds from the said affidavit revealing a fact during enquiry about the deceased being in a relationship with one Jasa @ Jasobanti Majhi and considering the affidavit at Flag-10 and submission of learned counsel for the respective parties with reference to Annexures-3 and 4 series besides the photograph and news clips on the death of deceased and that there has been a



complaint about suspicious circumstances leading to the alleged incident and death of the petitioner's son, this Court is inclined to direct opposite party No.2 to consider such complaint i.e. Annexure-1 and to take a decision thereon at the earliest and if in case, any one is found responsible for having committed cognizable offences, to register the same as FIR and thereafter, to proceed with it in accordance with law.

8. Accordingly, it is ordered.

9. In the result, the CRLMP stands disposed of with the direction as aforesaid. It is further directed that opposite party Nos.2 upon receiving a copy of the complaint at Annexure-1 (if not earlier received by Post) to consider the same complying the direction hereinabove with a decision thereon as soon as possible preferably within a period of four weeks from the date of receipt of a copy of this order.

10. Urgent copy of this order be issued as per rules.

11. A copy of the order be handed over to Ms. Sahu, learned AGA for the State for its onward intimation to opposite party No.2 and immediate compliance.

(R.K. Pattanaik)
Judge