



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2240 of 2026

CNR No. ODH010522872026

Amulya Kumar Panda

.....

Petitioner

Security Agency

Represented by Adv. –
Mr. Kalpataru Khuntia

-versus-

State of Odisha and another

.....

Opposite Parties

Represented by Adv. –

Miss. Bijaya Laxmi
Tripathy, ASC

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

11.08.2026

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual/ Physical Mode).
 2. Heard the learned counsel for the Petitioner as well as the learned counsel for the State-Opposite Party No.1. Perused the CRLMC application as well as the prayer made therein.
 3. By filing the present CRLMC application under Section 528 of BNSS, the Accused-Petitioner in 1CC No.388 of 2015, pending in the court of learned J.M.F.C., Balasore, has approached this Court with a prayer for quashing of the series of orders. However, in course of argument, learned counsel for the Petitioner confines his prayer to order dated 18.02.2026, at Annexure-1 series, passed in the abovenoted 1CC Case. Further, a prayer has been made for



quashing of the entire proceeding in the abovenoted 1CC Case pending before the learned J.M.F.C., Balasore.

4. On perusal of the case record, it appears that the learned Coordinate Bench, vide its order dated 17.07.2026, had directed the Registry to obtain a report from the learned J.M.F.C., Balasore with regard to delay in disposal of the 1CC Case No.388 of 2015. A report has been received in the meantime. The same is on record.

5. On perusal of the report dated 05.08.2026 of the learned J.M.F.C., Balasore, it appears that cognizance was taken on 04.01.2016 under Sections 120(B)/406/417/418/294/506 of I.P.C. Thereafter, challenging the aforesaid order taking cognizance, the Petitioner approached this Court by filing CRLMC No.2906 of 2016. The further proceeding in the abovenoted 1CC case was stayed vide order dated 07.11.2016. However, the stay order was vacated on 09.02.2022 by following the principles laid down by the Hon'ble Supreme Court in *Asian Resurfacing of Road Agency Pvt. Ltd. v. Central Bureau of Investigation*. While this was the position, the case record was transferred to the court of the learned J.M.F.C., Balasore on 24.07.2025. Since there was no further update in the pending CRLMC No.2906 of 2016, learned J.M.F.C., Balasore could not proceed further in the trial in view of the judgment of the Hon'ble Supreme Court in *Pawan Agarwal v. State of Uttar Pradesh* (2024 INSC 992). Thereafter, the interim order granted by this Court in the earlier CRLMC No.2906 of 2016 was specifically vacated vide order dated 28.10.2022. The report submitted by the learned J.M.F.C., Balasore is accepted and the



same is kept on record.

6. Since it is clear that currently there is no hurdle or impediment for the trial to progress, this Court deems it proper to dispose of the present CRLMC application by directing the learned J.M.F.C., Balaosre to make every endeavour to conclude the trial in the abovenoted ICC Case as expeditiously as possible, preferably within a period of six months from the date of communication of a copy of this order. Parties to the aforesaid complaint case are directed to cooperate with the learned trial court for and early conclusion of the trial. It is open to the Petitioner to raise any ground before the learned Magistrate in accordance with law. The same shall be considered by the learned trial court.

7. With the aforesaid observation and direction, the CRLMC stands disposed of.

(A.K. Mohapatra)
Judge

Debasis