



A.F.R.

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3193 of 2025

(A petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.)

Juli Pradhan

....

Petitioner(s)

-versus-

State of Odisha & Anr.

....

Opposite Party(s)

Advocates appeared in the case through Hybrid Mode:

For Petitioner(s)

:

Mr. Himanshu Sekhar Mishra, Adv.

For Opposite Party(s)

:

*Mr. Udit Ranjan Jena, AGA
(for O.P.1)*

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

DATE OF HEARING:-06.02.2025

DATE OF JUDGMENT:-27.02.2026

Dr. Sanjeeb K Panigrahi, J.

1. The petitioner, in the present CRLMC, seeks quashing of the F.I.R. registered in connection with Muniguda P.S. Case No.115 of 2025 corresponding to G.R. Case No.211 of 2025, pending in the Court of the learned J.M.F.C., Muniguda.

I. FACTUAL MATRIX OF THE CASE:

2. The brief facts of the case are as follows:
 - i. The prosecution case, as per the written report lodged on 01.06.2025 at about 8.20 p.m. by one Satish Prasad Tripathy before the



Muniguda Police Station, is that his daughter, Atashi Tripathy, had married Samir Kumar Sahu, resident of Bhanjanagar Block, on 31.01.2012. It was stated that Atashi Tripathy was working as a CRC under Muniguda Block. Due to the absence of her husband, she had been staying at her parental home for the preceding ten days. On 01.06.2025 at about 11.00 a.m., she left home to attend a meeting at the Block Office and did not return till about 3.00 p.m. In the meantime, the informant received a telephonic call from his son-in-law informing him that his daughter was in a distressed state and might take an extreme step. The informant, along with his wife, rushed to her house at Gobardhan. On reaching there, they found the door closed from inside. Despite repeated calls, there was no response. They thereafter broke open the back door and entered the house, where they found Atashi Tripathy hanging in her bedroom with a stole tied to the ceiling fan. The informant immediately cut the stole and brought her down and shifted her to the Community Health Centre, Muniguda, where the attending doctor declared her dead. It was further alleged that the informant returned to the house and found a diary on the dressing table containing a note purportedly in the handwriting of the deceased, wherein it was stated that her husband, Samir Kumar Sahu, was responsible for her suicide.

- ii. Upon receipt of the written report, Muniguda P.S. Case No. 115 of 2025 was registered for alleged commission of offences under Sections 85, 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023. The said case corresponds to G.R. Case No. 211 of 2025, which is



pending before the Court of the learned J.M.F.C., Muniguda. The petitioner was arrested on 03.06.2025 and remanded to custody.

- iii. The petitioner moved an application for bail before the learned Additional District and Sessions Judge, Bissam Cuttack, which was rejected on 13.06.2025.
- iv. Thereafter, the petitioner filed BLAPL No. 6329 of 2025 before this Court, and by order dated 10.07.2025, this Court allowed the said bail application subject to certain conditions.
- v. The present petition has been filed seeking quashing of the aforesaid F.I.R. and the consequential criminal proceedings arising therefrom.

II. SUBMISSIONS ON BEHALF OF THE PETITIONER:

3. Learned counsel for the petitioner made the following submissions in support of his contentions:

- i. It was submitted that the petitioner is a young unmarried lady and has been falsely implicated in the present case on account of alleged family disputes involving the informant.
- ii. It was contended that the petitioner has no involvement whatsoever in the alleged occurrence and that there is no clinching or cogent material available on record to connect her with the commission of the alleged offences. On such grounds, it was prayed that the F.I.R. and the consequential criminal proceedings be quashed.
- iii. It was further submitted that the investigation in the aforesaid case has substantially progressed and no material has surfaced against the petitioner. It was contended that continuation of the criminal proceedings against her would seriously prejudice her future prospects.



- iv. It was further submitted that the F.I.R. has been lodged with a mala fide intention to harass the petitioner and that the allegations made therein do not disclose the commission of any offence against her.
- v. It was contended that the deceased had committed suicide after locking the door from inside and that the petitioner had no connection or involvement with the said occurrence. It was further submitted that the F.I.R. has been lodged with a motivated and mala fide intention solely to harass the petitioner and tarnish her reputation.
- vi. It was submitted that the materials available on record do not satisfy the essential ingredients of the alleged offences under Sections 85, 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, insofar as the petitioner is concerned.
- vii. It was further submitted that the allegations made in the F.I.R. are false and fabricated and have been set up with a view to wreak vengeance against the petitioner.
- viii. It was contended that there is no material on record to make out a prima facie case against the petitioner in respect of the alleged offences and that the essential ingredients thereof, including the requisite mens rea, are not satisfied insofar as she is concerned. It was, therefore, prayed that this Court may exercise its inherent jurisdiction to quash the F.I.R. filed against the petitioner.

III. SUBMISSIONS ON BEHALF OF THE OPPOSITE PARTIES:

- 4. Learned counsel appearing for the opposite parties opposed the prayer for quashing of the F.I.R. and the consequential criminal proceedings and



submitted that a prima facie case is made out against the petitioner, and therefore, no interference is warranted at this stage.

IV. COURT'S REASONING AND ANALYSIS:

5. Heard learned counsel for the parties and perused the materials available on record.
6. At the outset, it is to be noted that the scope of interference in exercise of inherent jurisdiction under Section 482 of the Cr.P.C., corresponding to Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is well settled. Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 reads as follows:

"528. Saving of inherent powers of High Court.— Nothing in this Sanhita shall be deemed to limit or affect the inherent powers of the High Court to make such orders as may be necessary to give effect to any order under this Sanhita, or to prevent abuse of the process of any Court or otherwise to secure the ends of justice."

7. The inherent power so preserved, though wide in scope, is to be exercised with circumspection and only in exceptional circumstances to prevent abuse of process or to secure the ends of justice.
8. The Supreme Court in *CBI v. Aryan Singh*¹, observed that at the stage of discharge or quashing of criminal proceedings, while exercising powers under Section 482 of the Cr.P.C., the Court is not required to conduct a mini trial. It has been held that this is not the stage where the prosecution is required to prove the charges. The Court is only required to examine whether the allegations, taken at their face value, disclose the commission

¹(2023) 18 SCC 399.



of an offence and not to evaluate the evidentiary value of the materials on record.

9. Thus, at the stage of considering a prayer for quashing, this Court is required to examine whether the allegations in the F.I.R., taken at their face value, prima facie disclose the commission of any offence. The Court does not embark upon an appreciation of evidence nor does it examine the veracity of the allegations at this stage.
10. It is further imperative to bear in mind that where the allegations give rise to disputed questions of fact or where the ingredients of the alleged offences cannot be said to be wholly absent on the face of the record, the proceedings ought not to be quashed at the threshold.
11. Bearing the aforesaid principles in mind and upon perusal of the materials available on record, this Court does not find the present case to fall within the limited categories warranting interference in exercise of inherent jurisdiction at this stage.

V. CONCLUSION:

12. In view of the aforesaid discussion and upon consideration of the materials available on record, this Court is not persuaded to hold that the allegations made in the F.I.R., taken at their face value, fail to disclose the commission of any offence.
13. The present case does not fall within the exceptional categories warranting exercise of inherent jurisdiction under Section 482 of the Cr.P.C., corresponding to Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
14. Accordingly, no interference is warranted at this stage and the CRLMC stands **dismissed**.



15. Interim order, if any, passed earlier stands vacated.

(Dr. Sanjeeb K Panigrahi)
Judge

*Orissa High Court, Cuttack,
Dated the 27th February, 2026*