



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.3328 of 2025

Satya Ranjan Sethi

.....

Petitioner

Represented By Adv. -
Bijaya Kumar Ragada

-versus-

State Of Odisha (vig.)

.....

Opposite Party

Mr. N. Moharana, Standing
Counsel for Vigilance

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
09.12.2025

Order No.

- 02.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Petitioner as well as learned Standing Counsel for the Vigilance Department. Perused the application as well as the prayer made therein.
 3. By filing the present application under Section 482 of Cr.P.C., the Petitioner seeks to invoke the inherent jurisdiction of this Court to quash order dated 14.05.2025 passed by the learned Special Judge Vigilance, Balasore in T.R. No.28 of 2011, which arises out of Balasore Vigilance P.S. Case No.53 of 2025. The above noted case was registered for alleged commission of offence punishable under Sections 13(2), 13(1)(c)(d) of P.C. Act read with Sections 418, 420, 120-B of IPC.
 4. Learned counsel for the Petitioner at the outset contended that the FIR in the Balasore Vigilance P.S. Case No.53 of 2025 was



registered on 28.12.2005. Thereafter, the investigation was concluded and a final charge-sheet has been filed. He further submitted that the trial commenced in the year 2017 and most of the witnesses have been examined from the side of the prosecution except the I.O. Since the I.O. is not appearing, the case is lingering for several years. Being aggrieved by the delay in concluding the trial on the ground of non-appearance of I.O., the Petitioner filed an application before the learned trial Court with a prayer to dispose of the evidence of the I.O. in this case. The learned trial Court vide order dated 14.05.2025 at Annexure-1 rejected the prayer of the Petitioner on the ground that the evidence of Mr. Ujjala Kumar Brahma, the I.O. in this case is highly essential for a just decision of the case. Accordingly, the prayer of the Petitioner was rejected. Being aggrieved by such order, the Petitioner has approached this Court by filing the present application.

5. Mr. Moharana, learned Standing Counsel for the Vigilance Department on the other hand submitted that the learned trial Court has not committed any illegality in passing the order dated 14.05.2025. While supporting the impugned order, learned Standing Counsel for the Vigilance Department submitted that the evidence of the I.O. is the backbone of the prosecution case. He further submitted that unless the I.O. is examined the trial would never be a fair trial. Hence, it was contended that this Court may provide another opportunity to the prosecution so that the evidence of the I.O. be recorded in the meantime. On such ground, learned Standing Counsel for the Vigilance Department prayed for dismissal of the present application filed by the Petitioner.



6. Having heard the learned counsels appearing for the respective parties, on a careful examination of the background facts as well as the subsequent development in the present case, this Court expresses its prima facie view with regard to the delay that has been caused in the conclusion of the trial. It appears that the case is of the year 2005 and even after expiry of two decades the trial has not been concluded. It is also not disputed by the parties that the trial is being delayed due to non-appearance of the I.O. in this case. However, keeping in view the concept of fair trial, this Court is inclined to grant another opportunity to the prosecution to examine the I.O., as a last chance. Accordingly, the present application is being disposed of by modifying the order dated 14.05.2025 to the extent that the I.O. shall be examined within a period of six weeks, either physically or through the virtual mode by following the SOP prepared by this Court. Further, it is directed that since the case is of the year 2005, the learned Court shall make every endeavor to conclude the trial as expeditiously as possible, preferably within a period of six months from the date of communication of a copy of today's order.

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

(Aditya Kumar Mohapatra)
Judge