



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.5207 of 2025

Ashif Ali

.....

Petitioner

Represented By Adv. –

Mr. Subir Palit, Sr. Adv.

Haripad Mohanty

-versus-

1) State Of Odisha

.....

Opposite Parties

2) Amit Kumar Sharma

Represented By Adv. –

Mr. S.K. Parhi, ASC

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

09.12.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard Mr. Subir Palit, learned senior advocate for the Petitioner as well as learned counsel for the State. Perused the application as well as the prayer made therein.
3. By filing the present application under Section 528 of BNSS, the Petitioner seeks quashing of the entire criminal proceeding against him arising out of Lalbag P.S. Case No.179 dated 03.05.2025 which has been registered for alleged commission of offence punishable under Sections 318(4)/319(2)/3(5) of the BNS.



4. Learned counsel for the Petitioner at the outset contended that on a plain reading of the FIR and accepting the allegations to be true at the face value, no case is made out against the present Petitioner. On such ground, learned senior advocate appearing for the Petitioner contended that the entire criminal proceedings against the present Petitioner is unsustainable the same is to be quashed.

5. On a careful consideration of the FIR as well as the submission made by the learned senior counsel, this Court of the view that no prima face case is made out against the present Petitioner. However, to provide an opportunity to the learned State counsel, he is granted two weeks' time to obtain instruction and the case diary.

5. List this matter in the week commencing 12.01.2026.

I.A. No.3611 of 2025

6. As an interim, it is directed that no coercive action shall be taken against the Petitioner till the next date, subject to condition that the Petitioner shall cooperate the investigation appear for the I.O. as and when his presence is required in connection with the case.

(A.K. Mohapatra)
Judge