

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP NO.1834 OF 2022

Binod Kumar Naik

.... ***Petitioner.***
Mr.P.R. Singh, Advocate

-versus-

State of Odisha & Others

.... ***Opposite Parties,***
Mr.S.K. Nayak, AGA.

CORAM:

MR. JUSTICE D.DASH

ORDER

31.10.2022

Order No.

03. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. The Petitioner by filing this Application has invoked the jurisdiction of this Court under Article- 226 & 227 of the Constitution of India in seeking a direction to the Opposite Party Nos.2 and 3 to take prompt action in the matter of investigation Barbil P.S. Case No.200 of 2022 registered for commission of offence under section 450,147,148,323,324,294,506,395,149, I.P.C. and section 3(1) 3(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.
3. Learned counsel for the Petitioner submits that simply by registering the case and requesting the S.D.P.O., Barbil to take charge of the investigation, there has been no further progress in the matter. He submits that the case having been registered for commission of offence under the S.C./S.T. (P.A. Act), the relevant rule prescribing a time frame for completion of the investigation has been thrown to the wind. He, therefore, submits that the inaction on the part of the Investigating Officer being clear for obvious reason; this Court's indulgence is necessary.
4. Learned counsel for the State submits that the case having been registered on receipt of the F.I.R. from the Petitioner for the offences which are found to have been surfacing from the fact

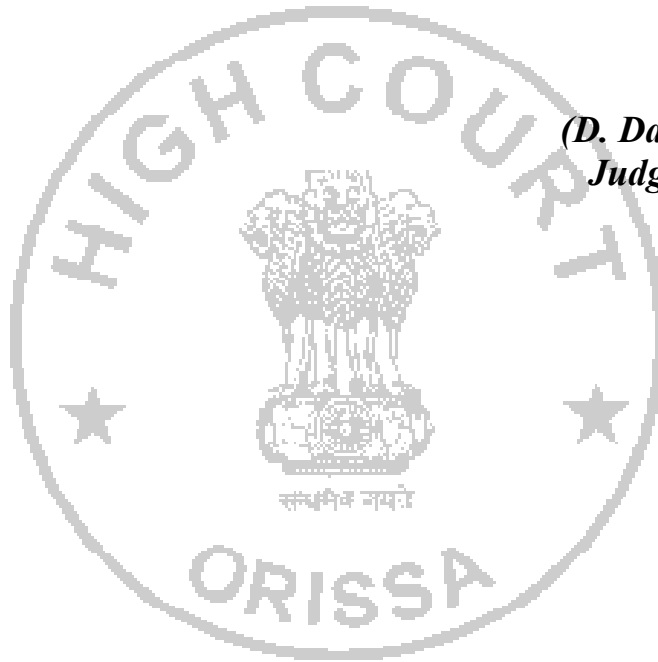
narrated in the F.I.R., the investigation is going on and that to by an Officer who is competent under the rule to do so.

5. Considering the submission made and on going through the averments taken in the petition as well as the documents annexed thereto, this Application stands disposed of with the observation that the Opposite Party Nos.3 and 4 would do well to proceed with the investigation of the above noted case in accordance with law for its early completion.

Issue urgent certified copy as per rules.

A free copy of this order be handed over to the learned counsel for the State.

**(D. Dash),
Judge.**



Himansu