

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CRLMP No.2458 of 2022**

**Sangita Sahoo**

....

**Petitioner**

Mr. R.N. Prusty, Advocate.

*-versus-*

**State of Odisha & others**

....

**Opp. Parties**

Mr. D. Mund

Additional Government Advocate.

**CORAM:**

**DR. JUSTICE S.K. PANIGRAHI**

**Order**

**No.**

**ORDER**

**20.12.2022**

01.        1.        This matter is taken up through hybrid arrangement.
2.        Heard learned counsel for the petitioner and learned counsel for the State.
3.        In this CRLMP, the petitioner challenges the action of the opposite party no.3 (I.I.C., Pattamundai Police Station) in not submitting the charge sheet for commission of offences under Sections 341/294/323/325/307/506/34 of the I.P.C. and other offences against all the accused persons against whom, there is existence of prima facie case under the same offences in respect of G.R. Case No.522 of 2020 corresponding to Pattamundai P.S. Case No.522 of 2020 pending in the court of learned J.M.F.C., Pattamundai.

4. Learned counsel for the petitioner submits that now the case is pending in the court of the learned J.M.F.C., Pattamundai. He further submits that without applying its judicial mind on the materials available on record mechanically took cognizance of the above offences though he/she is empowered to direct for further investigation under Section 173(8) of the Cr.P.C. as the investigation is not in proper direction.

5. Keeping in view the above facts and circumstances made, the I.I.C., Pattamundai Police Station (opposite party no.3) is directed to reinvestigate Pattamundai P.S. Case No.522 of 2020 and add the offence under the Indian Penal Code if it is prima facie made out and communicate it to the learned J.M.F.C., Pattamundai to look into the charges and consider the prayer for amending the Sections, if necessary, under which the F.I.R. has been registered. The said process will be completed within a period of one week from the date of receipt of certified copy of this order.

6. The CRLMP is accordingly disposed of.

7. Issue urgent certified copy of this order on proper application.

**(Dr. S.K. Panigrahi)**  
**Judge**