**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLMP No. 338 of 2026**

**Suryakanta Barik** .... **Petitioner**

*Mr. Satya Narayan Mishra 4, Advocate*

*-versus-*

1. **State of Odisha** .... **Opposite Parties**
2. **Superintendent of Police, Koraput**
3. **IIC, Sunabeda Police Station**

*Mr. Sarathi Jyoti Mohanty, Additional Standing Counsel*

**CORAM:**
**THE HON'BLE MISS JUSTICE SAVITRI RATHO**

**ORDER**
**06.04.2026**

***Order No.***

03. (Through hybrid mode)

1. This CRLMP has been filed for a direction to the Opposite Party No.3 to take proper action for the purpose of pure and free investigation in the matter and a further direction to register the FIR and take lawful action against the accused person.

2. The allegation of the Petitioner is that he had lodged the written information in the Sunabeda Police Station on 14.01.2026 which discloses cognizable offences against Subhakanta Nayak and Jitu Bag but since no case was registered against them he submitted a representation to the Superintendent of Police, Koraput on 08.02.2026 through online mode and on the same day, his representation was acknowledged and he had been intimated that his representation has been registered and information on action taken may be availed from the office but no case was registered.

3. Perusal of the CRLMP and the annexures reveals that there is no endorsement about submission of the complaint on 14.01.2026 before the IIC, Sunabeda Police Station. Perusal of Annexure-2 which is the representation addressed to the Superintendent of Police, Koraput, the date of incident has been mentioned to be 14.01.2025 which learned counsel for the Petitioner submits is on account of typographical error and should be read as 14.01.2026.

4. Perusal of Annexure-3 reveals that it is a OPD prescription of Basudevpur CHC, Dist. Bhadrak dated 08.02.2026 and prescription dated 09.02.2026 of the Institute of Medical Sciences & SUM Hospital, where the Petitioner has complained of phobic anxiety and disorder.

5. Pursuant to order dated 24.03.2026, Mr. S.J. Mohanty, learned Additional Standing Counsel produces the instructions dated 06.04.2026 of the IIC, Sunabeda Police Station where it is stated that on verification of Police Station records and General Diary entries, it was found that the Petitioner has not visited the Police Station nor met the IIC, Sunabeda Police Station on 14.01.2026 and on 10.02.2026, on the basis of written complaint lodged by one Swapna Khemundu, Sunabeda P.S. Case No.25 of 2026 has been registered against the Petitioner for commission of offence punishable under Sections 308(2), 351(2), 352, 75 of the BNS, Section 66(E), 67 & 67(A) of the Information Technology Act and Section 3(1)(r)(s) of the SC & ST PoA Act.

6. Mr. S.J. Mohanty, learned Additional Standing Counsel further submits that the Petitioner has filed ABLAPL No.2460 of 2026 in connection with Sunabeda P.S. Case No.25 of 2026 and

hence was aware that he is an accused in that case, but has not disclosed anything about that case in this CRLMP. Hence, he is not entitled to discretionary relief under Article 226 of the Constitution of India.

7. Mr. S.N. Mishra, learned counsel for the Petitioner submits that there was no necessity for giving the reference of the anticipatory bail application or state about the case registered against him as that case has no connection with this case.

8. I find force in the submission of the learned State Counsel.

9. Considering the nature of allegations and the background of the case, I do not consider this to be a fit case to exercise power under Article 226 of the Constitution of India and issue any direction.

10. The CRLMP is accordingly dismissed.

**(Savitri Ratho)**
**Judge**

*RKS*

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Reason: Authentication
Location: ORISSA HIGH COURT
Date: 10-Apr-2026 10:43:04