IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.1580 of 2026
CNR No. ODHC010693442026

Chandan Kumar Satapathy .... ***Petitioner(s)***

Mr. Byomakesh Tripathy, Advocate

-versus-

State of Odisha and others .... ***Opposite Party (s)***

Ms. Suvalaxmi Devi, ASC

CORAM:
THE HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER

Order No. **27.10.2026**

01. **1.** The petitioner is aggrieved by non-registration of the F.I.R. based on the complaint lodged by him on 08.06.2026. Subsequently, he has also made a complaint to the D.C.P., Khurda on 13.07.2026. The allegation made in the complaint is as under:-

> "The petitioner's marriage was solemnized on 26.11.2024 with Tatwamasi Ratha, D/o Late Surendra Nath Ratha. After few days of marriage, his wife started pressuring him to live separately from his aged parents and upon his refusal, frequently quarrelled with him, abused and humiliated him and his family members, refused to perform household duties, left the house without informing anyone and threatened to commit suicide. She also insulted him by commenting on his complexion and made false allegations against his parents. Despite repeated efforts by the petitioner

and his family to resolve the matter, his wife and mother-in-law insisted that he live separately from his parents, failing which his wife would not return and would seek divorce. Subsequently, on 08.06.2026 at about 7:30 AM, his wife, mother-in-law and two other persons came to his residence and demanded Rs.20,00,000/- towards maintenance/alimony for mutual divorce. On refusal, they abused and assaulted him and threatened to implicate him and his family members in false criminal cases and to arrange for the killing of his elderly parents if the demanded amount was not paid within one month. Hence, the petitioner seeks necessary legal action against the accused persons in accordance with law."

2. The Hon'ble Supreme Court in ***Sudhir Bhaskarrao Tambe v. Hemant Yashwant Dhage***, reported in **(2016) 6 SCC 277**, has held that where the police fail to register an F.I.R. or do not conduct a proper investigation, the aggrieved person should ordinarily resort to the statutory remedies under Sections 156(3) and 200 of the Cr.P.C., instead of directly invoking the extraordinary jurisdiction of the High Court. It was held thus:-

> *"3. We are of the opinion that if the High Courts entertain such writ petitions, then they will be flooded with such writ petitions and will not be able to do any other work except dealing with such writ petitions. Hence, we have held that the complainant must avail of his alternate remedy to approach the Magistrate concerned under Section 156(3) CrPC and if he does so, the Magistrate will ensure, if prima facie he is satisfied, registration of the first information report and also ensure*

a proper investigation in the matter, and he can also monitor the investigation."

3. Since an efficacious alternative remedy by way of filing a complaint under Section 200 of the Cr.P.C. (corresponding to Section 223 of the B.N.S.S.) or seeking an appropriate remedy under Section 156(3) of the Cr.P.C. (corresponding to Section 175(3) of the B.N.S.S.) is available to the petitioner, he is at liberty to avail himself of the remedies under the law.

4. With this observation, the CRLMP is disposed of.

(S.S. Mishra)
Judge

Subhasis/Rati

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Signed by: SUBHASIS MOHANTY
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 27-Oct-2026 19:44:57