IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMP No.1544 of 2026
CNR No. ODHC010707402026

Informant **.....** ***Petitioner***

Represented by Adv. - Bibhudutta Suryavanshi

-versus-

State Of Odisha & Others **.....** ***Opposite Parties***

Represented by Adv. – T. Kumar, ASC

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

ORDER
04.11.2026

Order No.

02. 1. Heard.

2. The petitioner, who is the informant in Jamboo Marine P.S. Case No.109 of 2026 is aggrieved by the alleged delay in completion of the investigation.

3. When the matter was taken up on 09.10.2026, learned State Counsel was directed to obtain necessary instructions in the matter. Pursuant to the said direction, learned State Counsel has obtained a report from the I.I.C., Marine P.S., Jamboo. The report dated 26.10.2026 indicates that the investigation is in progress. It is further stated

therein that the informant and the victim have not extended the required cooperation for completion of the investigation. The relevant portion of the said report reads as follows:

"***STATUS OF INVESTIGATION AND STEPS TAKEN SO FAR***:

With the above set of allegations, I set the criminal law into motion and has conducted Investigation in the following regards:

Statement of the minor victim has been recorded both U/s 180 as well as 183 BNSS;

Further the IO has seized one original Birth certificate of victim Rajashree Das and screen shot copies collected from WhatsApp video which is alleged to have been circulated accused Rajesh Das on production by complt Saraswati Barman at PS. The veracity of such circulation couldn't be investigated due to non-co-operation of the victim.

Though the victim was sent for medical examination to ascertain any act of sexual assault or harassment, neither she nor her guardian accorded consent for the said examination; however, issued injury requisition in respect of victim Rajashree Das to MO, CHC, Mahakalpada, C/299 Rashmita Das accompanied with her mother Saraswati Barman. The MO. Dr. Upasana Biswal opined that" No external injuries".

The accused was initially sought to be arrested has now co-operated with the investigation, during interim protection granted by the Hon'ble High Court in ABLAPL No. 7127/2026, by producing the digital device alleged to have been utilised for perpetrating the crime;

The device so seized from the accused is in the process of being send to RFSL, Rasulgargh for forensic examination by experts.

There is no requirement of custodial interrogation considering the gravit nature of the offences alleged to have been committed and for the accused ma him available as and when his presence is sought for by the IO.

Further all the alleged offences are punishable with less than seven years of imprisonment;

However, so far, the IO has not received any co-operation from the informant and victim in effecting seizure of the

device wherefrom the victim got to know about accused involvement in the alleged act of circulation of her photos etc.

Rather, the informant is deliberately evading such seizure which causes unnecessary delay in completion of the investigation;

Thus, the investigation is on verge of completion with awaiting co-operation from the side of victim and informant to conclude the same. Therefore, it is requested to your good office to impress upon the Hon'ble Court to direct the victim as well informant to co-operate with the investigation by producing the device which can sent to the RFSL, Rasulgarh for forensic examination which would eventually unravel the truth.

This is for favour of kind information and obliged."

4. Since the I.I.C specifically mentioned in the report dated 26.10.2026 that the due to non-cooperation of the informant, the investigation could not be completed. Therefore, it is incumbent upon the informant to extend all necessary cooperation to the investigating agency so that the investigation can be brought to its conclusion without any further delay and the appropriate police report under Section 173 Cr.P.C.(corresponding to 193 BNS) shall be filed before the jurisdictional court.

5. In view of the aforementioned, the petitioner is directed to appear before the concerned Investigating Officer of Jamboo Marine P.S. on 07.11.2026 at 10.30 A.M. and extend all necessary cooperation for completion of the investigation.

Learned counsel for the petitioner further submits that the petitioner has been receiving threatening calls from the accused persons. In this regard, it is observed that, in the event the petitioner apprehends any threat or intimidation at the hands of the accused persons, she is at liberty to lodge a separate complaint before the jurisdictional police station. In the event any such complaint is lodged, the concerned I.I.C. shall receive and deal with the same in accordance with law.

6. With the aforesaid observations and directions, the CRLMP is disposed of.

(S.S. Mishra)
Judge

Rati Ranjan

Signature Not Verified
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Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: OHC
Date: 05-Nov-2026 21:07:58