IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMP No.1621 of 2026
CNR No. ODHC010741292026

M/s. Emphoria Works Private Limited, Bhubaneswar ..... ***Petitioner***

Represented by Adv. - Bishnu Prasad Pradhan

-versus-

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

Represented by Adv. – J. Nayak, AGA

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

ORDER
29.10.2026

Order No.

01. 1. Heard.

2. The petitioner by invoking the writ jurisdiction of this Court under Articles 226 and 227 of the Constitution of India seeks a direction to opposite party Nos.3 and 4 for expeditious completion of the investigation in connection with Capital P.S. Case No. 848 of 2025.

3. The learned Addl. Government Advocate placed on record a parawise reply dated 03.10.2026 issued by the IIC, Capital P.S., Bhubaneswar UPD, *inter alia,* stating as under:

"1. It is a fact that Capital PS Case No 847 dt 27.12.2025 U/s 318(4), 316(2), 296, 314, 351(3), 324(1), 61(2), 3(5) BNS has been registered on receipt of complt petition in ICC No 9789/2025 from the Hon'ble Court of SDJM, Bhubaneswar filed by petitioner Prateek Choudhury, Manager Emphoria Works Pvt Ltd, G-5, Ganganagar, Bhubaneswar. The petitioner has brought allegation accusing Banamali Baliarsingh of M/s Balaji Trading Co. Badagada Brit Colony, Bhubaneswar for cheating. misappropriation using abusive languages, causing damage to the hired trollers with criminal intimidation. Soon after registration of the case the 1.0 has examined the complt and some of the witnesses, seized some documents relating to transportation business with agreement. It is not a fact that there is no progress of investigation.

2. Needs no compliance.

3. As per point No 1

4. It is a fact that a vehicle lease agreement has been executed on 17.05.2025 between the Emphoria Works Pvt Ltd having its registered office at Plot No. 4B/1474, Sector 11, CDA, Cuttack and M/s Balaji Trading Co. Badagada Brit Colony, Bhubaneswar represented by the so called aced Banamali Baliarsingh to run ten numbers of heavy trollers/hiwyas of different registration numbers fixing Rs 18 lakhs/month. The validity of the agreement was for six months from the date of commencement Le 17.05.2025.

5. Needs no comments.

6. After receipt of the petition of from DCP, Bhubaneswar UPD the enquiry into the allegation was thoroughly taken up and during in the mean this case was registered on event of receipt of the ICC Case No. 9789/2025 of Hon'ble court of S.D.J.M. Bhubaneswar. Since then the investigation into the case was conducted as per procedure.

7. During course of investigation the 1.0. so far did not get sufficient clue leading to seizure of the involved vehicle. However, investigation is continuing. The vehicles in question will be seized if required.

8. After taking all sincere steps for apprehend the accused but in vain. After his apprehension the investigation as to payment of rent dues will be taken to consideration.

9. In respect of threatening to sell the vehicles taken on lease by the accused persons in black marketing is could not be substantiated during investigation conducted so far.

10. It is not a fact the I.O. failed to take any steps to conduct ground level investigation. But the visited the spot, examined the Complt. (Petitioner) and witnesses followed by recording of their statements.

11. Neither the Petitioner nor any of the witnesses of his company have intimated to Police about the threatening given by the accused persons. If any clue about threatening will be received action will be taken accordingly.

12. All sincere efforts are being taken for apprehension of the accused persons in this case and steps are being taken for early closure of the case.

13. Noted the kind instructions.

14. Needs no compliance."

4. It appears that, the investigation of the present case is in progress and the petitioner's apprehension regarding the threatening given by the accused persons has not been reported to the police either by the petitioner or any other witnesses those are employees of the petitioner-company.

5. In view of the aforementioned parawise reply, no further direction is required to be passed at this stage. However, in the event the petitioner-company or any employee of the petitioner-company is subjected to any threat or intimidation by the accused persons, it shall be open to the petitioner or the person concerned to bring the same to the notice of the jurisdictional police. It is expected

that, the concerned police shall take appropriate action in accordance with law.

6. With the aforesaid observations, this CRLMP is disposed of.

(S.S. Mishra)
Judge

Rati/Subhasish

Signature Not Verified
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Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: OHC
Date: 30-Oct-2026 21:05:36