IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.1724 of 2026

CNR No. ODHC010785812026

Asish Vidyarthy .... ***Petitioner(s)***

Mr. Bidyadhar Mansing, Advocate

-versus-

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

Mr. Udit Ranjan Jena, AGA

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

11.11.2026

Order No.

02. **1.** Heard.

2. The petitioner by invoking the jurisdiction of this Court under Article 226 and 227 of the Constitution of India has explored the following relief:-

> "The petitioner most respectfully prays that this Hon'ble Court may graciously be pleased to admit / allow this writ petition and after hearing the parties to issue a writ or direction to the O.P.s for registration/inquiry/investigation of the F.I.R. under Annexure-1 forthwith and accordingly take action against the accused person as per law."

3. Vide order dated 15.10.2026, learned counsel for the State was directed to obtain instruction in the matter. Pursuant thereto, the I.I.C., Nandankanan P.S. has submitted a report dated 16.10.2026, inter alia, stating as under:-

> "With reference to the subject cited above, I have the honour to submit that, I went through the matter of Asish Vidyarthi, S/o- Dhananjay Behera, At- Old IB Chhak, Near Chandan Field,

P.O-Naraj, P.S- Barangay, Dist-Katak, At/ Pre-Tirumala Niwas, Rajib Nagar, Patia Station Road, P.O-Kalarahanga, P.S- Infocity, Dist-Khordha. During enquiry it is ascertained that, on dt. 10.09.2026 at 12.15 AM complainant Sarthak Mishra, S/o- Anuja Mishra, LB-101, Bhimatangi Housing Board colony. Near Ekamra College had appeared at P.S on dt. 09.09.2026 at 09.50 P.M and reported that while he was driving his vehicle vide Regd. No. OD-33-BB-1717 in front of Royal Lagoon, the complainant dashed him while driving his vehicle bearing Regd. No. OD-05-BT-8027 under the influence of alcohol. On this report, a case was registered vide Nandankanan P.S case No. 382 Dt. 10.09.2026 U/s- 115 (2)/296/281/351 (2) BNS/185 MV Act.

However, on the same day i.e. on dt. 10.09.2026 at 12.30 A.M one Debi Prasad Das of Flat No. 403, T-0, Z1 Apartment had reported at P.S that while he was driving his vehicle bearing Regd. No. OD-02-DQ-3033 in front of Royal Lagoon the petitioner has dashed his car bearing Regd. No, OD-05-BT-8027 with the influence of alcohol. On the said complaint, a case was registered at Nandankanan P.S vide P.S case No. 383 dt. 10.09.2026 U/s- 281 BNS/185 M.V. Act. During conduct of alcohol test upon the petitioner using breath analyzer, it is ascertained that the Alcohol Content is 471 mg/100 ml.

Both the cases have already been charge-sheeted and submitted to the Hon'ble Court to face his trial in the court of law.

Further, I have the honour to submit that the petitioner has not submitted any written report on his complaint at P.S for redressal of his grievance."

4. From the report, it appears that the petitioner has not lodged any specific complaint before the concerned police station. On the contrary, two cases have been registered against him. Therefore, it is open to the petitioner to submit a specific complaint before opposite party No.4. If any such complaint is

submitted, the opposite party No.4 shall deal with the same in accordance with law.

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

(S.S. Mishra)
Judge

Swarna

Signature Not Verified
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Signed by: SWARNAPRAVA DASH
Reason: Authentication
Location: High Court of Orissa
Date: 16-Nov-2026 20:15:05