IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.3831 of 2026
CNR No. ODHC010803432026

Benudhar Pradhan **.....** ***Petitioner***

Represented by Adv.
- Devashis Panda

-versus-

State Of Odisha **.....** ***Opp. Party***

Represented by Adv. –
U.R. Jena, AGA

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

ORDER

Order No. **06.11.2026**

01. 1. Heard.

2. The petitioner by invoking the inherent jurisdiction of this Court under Section 528 of the BNSS, 2023 is seeking the following reliefs:-

> *"The Petitioner therefore humbly prays that the CRLMC petition may be admitted for hearing, notice be issued to Opposite Party and after calling for and perusing records and hearing the parties be pleased to quash the reports as to criminal antecedents as at Annexures-3 & 4 above in connection with Fategarh P.S. Case No. 358 of 2025 and Fategarh P.S. Case No. 264 of 2026 pending in the court of Id. J.M.F.C., Bhapur and direct the investigating agency to furnish correct statement as to Petitioner's criminal antecedents;"*

3. Mr. Panda, learned counsel appearing for the petitioner, drawing the attention of this Court to Annexure-3 to the petition submits that the I.I.C. of Fategarh Police Station has been submitting incorrect and misleading reports

regarding the criminal antecedents of the petitioner before different Courts with the apparent object of prejudicing the consideration of the petitioner's prayer for appropriate relief. He submits that, in the report in question, the I.I.C. has indicated the involvement of the petitioner in six criminal cases. However, out of the six cases so indicated, the petitioner is not an accused in the cases mentioned at serial Nos.2 and 4. So far as the case mentioned at serial No.5 is concerned, the police, upon completion of investigation, has already submitted a final form. With regard to the cases mentioned at serial Nos.1 and 6, although the petitioner has been shown as an absconder, he has already been acquitted in those cases. Learned counsel, therefore, contends that the antecedent report furnished by the I.I.C. is factually incorrect and has the potential of seriously prejudicing the petitioner's interest in judicial proceedings.

4. It is further submitted that, aggrieved by such incorrect reporting, the petitioner had submitted a representation before the Superintendent of Police, Nayagarh on 12.01.2026, bringing the aforesaid discrepancies to his notice. However, the concerned S.P. did not pay any heed to the said representation, compelling the petitioner to approach this Court.

5. Learned State Counsel submits that there appears to be some confusion in the antecedent report submitted by the I.I.C., Fategarh Police Station and the same requires necessary verification and correction.

6. Be that as it may, when the alleged discrepancies in the criminal antecedent report had already been brought to the notice of the Superintendent of Police, Nayagarh, by way of a representation way back in the month of January, 2026, it is incumbent upon the S.P to address such issue which is affecting the liberty of the petitioner. In that view of the matter, this petition is allowed.

7. The Superintendent of Police, Nayagarh is directed to examine the grievance of the petitioner raised in the representation dated 12.01.2026 and issue necessary instructions to the I.I.C., Fategarh Police Station to ensure submission of a correct report regarding the criminal antecedents of the petitioner before the Court concerned, as and when called for.

8. With the aforesaid direction, this CRLMC 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: 11-Nov-2026 17:14:38