IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.3904 of 2026
CNR No. ODHC010812132026

Ramanarayan Bal **.....** ***Petitioner***

Represented by Adv. –Mrs. Sonia Mathur, (Senior Advocate) along with Mr. Aayush Kumar& Mr. S. Satapathy

-versus-

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

Represented by Adv. – R.B. Dash, ASC Mr. S.S. Mohanty, Adv. along with Mr. S. Mohapatra, Adv.

CORAM:
CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER
12.11.2026

Order No.

02. 1. The petitioner is aggrieved by the order dated 05.10.2026 passed in C.T. Case No.20 of 2025 by the learned Presiding Officer, Designated Court under the OPID Act, Cuttack, whereby charges have been framed against the petitioner and witnesses have been summoned.

2. Mrs. Mathur, learned Senior Counsel appearing for the petitioner, submits that the impugned order is patently illegal and contrary to the procedure contemplated under Section 250/251 of the BNSS, 2023. She contends that the

said provision contemplates a period of sixty days within which the accused is entitled to file an application for discharge. Such period is to be reckoned from the date of receipt of the copy of the police report and the documents forming part thereof by the accused.

Learned Senior Counsel further submits that there is a dispute regarding non-supply of several documents forming part of the charge-sheet to the petitioner. In view of such grievance, the petitioner approached this Court by filing D-CRLMP No.30574 of 2026. This Court, vide order dated 14.10.2026, passed the following order:

> *"There is a dispute as to whether the entire record form part of the charge sheet has been supplied or not. It appears from the record that the petitioner has moved repeated applications before the learned Trial Court for supply of documents, which has not been acceded to. Be that as it may, since the petitioner is facing trial in serious offence, he is entitled to all the documents which form part of the charge sheet. Therefore, the learned Trial Court is directed to ensure the entire documents/papers, which form part of the charge sheet is supplied to the petitioner, before it proceeds further."*

Ms. Mathur submits that despite the aforementioned order the prosecution has failed to supply the documents and the trial court with undue hast proceeded to frame charges and on the very same day summoned the witnesses for trial. The tarring hurriedness on the part of the Trial court to proceed with the trial without even caring to

comply statutory procedural rigors has caused travesty of justice.

3. Mr. Mohanty, learned counsel appearing for the informant, as well as Mr. Dash, learned State Counsel, jointly submitted that notwithstanding the order dated 14.10.2026 passed by this Court, the petitioner-accused is reluctant to receive the entire set of documents. According to them, such conduct is indented to delay and protract the trial. Mr. Mohanty by drawing attention of this court to various instances of conduct borne from record further submits that petitioner has been intentionally adopting dilatory tactics with a view to procrastinate the trial, therefore, this court should not give any more indulgence to the petitioner.

4. This Court is not inclined to enter into the aforesaid controversy. However, suffice it to observe that, in view of the specific direction issued by this Court vide order dated 14.10.2026, it was incumbent upon the prosecution to ensure supply of all the documents forming part of the charge-sheet, as indicated in the said order. It was equally incumbent upon the petitioner-accused to receive the same. In any event, for the purpose of reckoning the period of sixty days contemplated under Section 250 of the BNSS, 2023, the same shall commence from the date of the order passed by this Court, i.e., 14.10.2026. The petitioner shall be at liberty to file an application seeking discharge within the aforesaid period. The petitioner shall receive all the documents from part of charge sheet, which were not

supplied to him as directed by this court within a week and he may file application if any within the time frame under law, which shall recon from 14.10.2026.

5. Accordingly, the impugned order dated 05.10.2026 passed in C.T. Case No.20 of 2025 by the learned Presiding Officer, Designated Court under the OPID Act, Cuttack is set aside on the aforesaid technical ground.

6. Liberty is granted to the petitioner to file an appropriate application seeking discharge within the stipulated period. If such an application is filed, the learned Trial Court shall consider and dispose of the same in accordance with law.

7. It is made clear that, the setting aside of the impugned order is on a technical ground alone. Therefore, the learned Trial Court, while considering the application for discharge and proceeding further in the matter, shall not be influenced by any observation made in this order. The prosecution shall ensure that all the documents forming part of the charge-sheet, as referred to in the order dated 14.10.2026 are duly supplied to the petitioner.

8. Accordingly, this CRLMC is disposed of.

(S.S. Mishra)
Judge

Signature Not Verified
Digitally Signed *Rati/Subhasish*
Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: OHC
Date: 16-Nov-2026 11:05:37