



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 283 of 2026

Sk. Hanif

....

Petitioner

Mr. P.R. Chhatoi, Advocate

-versus-

***1. State of Odisha, represented through
it's Secretary, Home Department,
Bhubaneswar***

***2 Director General and Inspector
General of Police, Odisha, Cuttack***

***3. Superintendent of Police,
Mayurbhanj***

4. I.I.C., Bahalda Police Station

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Opp. Parties

Mr. Sarathi Jyoti Mohanty,
Additional Standing Counsel

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

16.03.2026

Order No.

(Through hybrid Mode)

02. 1. This CRLMP has been filed for a direction to the Opposite Parties to handover the investigation of Bahalda P.S. Case No. 4 of 2026 to the Crime Branch or to form Special Investigation Team (SIT) to conduct the investigation by adding Section 111, 299, 302, 117(4) of BNS against the accused persons along with the provisions already in the FIR.



2. Mr. P.R. Chhatoi, learned counsel for the Petitioner files a synopsis in compliance of the order dated 11.03.2026 which is taken on record.

3. Mr. Chhatoi, learned counsel for the Petitioner submits that son of the Petitioner Sk. Saharukh had been assaulted by the accused persons and others and they had removed his clothes and dragged him on the surface, but tying his leg with the rope and thereafter tying his hand with the rope while he was still naked and made him mock on the road forcing him to utter “Jay Sriram Jay Sriram” although he belongs to a different community and this incident was recorded over mobile and made vital on social media. The video recording was sent to the mobile of the I.I.C. Bahalda Police Station and though the FIR had been submitted on 03.01.2026, but after the video became viral on 04.01.2026, the FIR has been registered. It is also submitted that the video in question became viral on 04.01.2026, but instead of registering FIR and the FIR had been registered for the offences under Sections 126(2), 296, 155(2), 117(2), 133, 351(3), 3(5) of BNS, but Sections 111, 299, 302, 117(4) of the NBS has not been added. Even though the said offences are made out and viral video has been sent to one Sk. Samim from his mobile to the



I.I.C., Bahalda Police Station but in spite of that, these offences have not been added.

4. Mr. Sarathi Jyoti Mohanty, learned Additional Standing Counsel produces the instructions dated 10.03.2026 of the I.I.C., Bahalda Police Station, Mayurbhanj in the said instructions apart from giving brief details of the steps taken for investigation, as per the injury opinion received from the CHC, Bahalda where the treating Medical Officer, Dr. Sanjo Murmu has opined that the injuries sustained on the person Md. Shahrukh @ Mahammad Sek Saruk are simple in nature and caused by hard and blunt object and the date of examination was within two hours. It is also stated that he has arrested the accused persons Kunal Sahu and Santosh Kumar Sahu and after sending for medical examination as per Section 53 of BNSS, has forwarded them for medical examination, where no external injuries were found on them, he was forwarded them to the Court of the learned S.D.J.M., Rairangpur. He also verified the criminal antecedents of the accused persons, but found nothing adverse against them except this case. It is also informed that other accused persons are yet to be arrested and the case is under investigation.



5. Mr. Mohanty, learned Additional Standing Counsel brings to the notice of this Court that the Petitioner is neither the informant nor the victim in Bahalda P.S. Case No.4 of 2026. He also submits that although the prayer has been made for handing over investigation to the Crime Branch or to form Special Investigation Team (SIT) to conduct investigation neither any officer of the Crime Branch, no officer of the Crime Branch has been arrayed as an Opposite Party.

6. The investigation in the case is in progress, but keeping in view the nature of the allegations and as it is not disputed that the incident had been videographed and made viral over social media, in the opinion of the Court that it would be proper if the investigation of the case is supervised by a Senior Officer not below the rank of DSP.

7. Perusal of Annexure-2 reveals that although the FIR has been registered under Section 117(2) of the BNS, while forwarding the accused persons, the said Section has been dropped. Annexure-2 is the copy of the order sheet in C.T. Case No. 30 of 2026.

8. As the Petitioner is the father of the injured, even though he is not the informant, I am inclined to entertain the CRLMP.



9. In view of the background of the case, the opposite party no.3 is directed to assign a Senior Officer not below the rank of the post of DSP / SDPO to supervise the investigation of the case who shall insure that investigation is conducted in a fair manner and after completion of investigation, final form is submitted in accordance with law.

10. With these observations and directions, the CRLMP is disposed of.

11. Urgent certified copy of this order be granted on proper application.

(Savitri Ratho)
Judge

Sukanta