

VERDICT IN



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.391 of 2026

Roshan Kumar Pradhan
& Ors.

Petitioner(s)

Mr. Soubhagya Swain, Adv.

-Versus-

State of Odisha & Anr.

Opposite Party (s)

Mr. Sonak Mishra, ASC

Ms. Sarita Moharana, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

12.02.2026

Order No.

02.

1. This matter is taken up through hybrid arrangement.
2. Pursuant to the order of this Court dated 11.02.2026, the D.C.P, Cuttack, the Registrar, National Law University (NLU), Odisha, Cuttack and the IIC, CDA Phase-II are personally present before this Court.
3. The Petitioners have filed the present CRLMC invoking the inherent jurisdiction of this Court under Section 482 of the Cr.P.C., seeking quashment of the criminal proceeding in connection with G.R Case No.790 of 2023 corresponding to CDA-2 P.S. Case No.113 of 2023 now pending before the learned JMFC-I, Cuttack, as

Signature Not verified in Annexure-1.

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16



4. The brief facts of the case, as borne out from the written complaint dated 17.09.2023 lodged at 11:39 P.M., are that the complainant, a 4th year student of National Law University Odisha, alleged that while he, along with his friend Sachin Dubey, was returning from Naraj Dam to the University campus, three persons arrived in a TATA Punch car bearing Registration No. OD-05-BG-2944 and forcibly compelled them to sit inside the vehicle.

5. It is alleged that upon reaching near the campus gate, the accused persons questioned them as to where they had consumed alcohol and psychotropic substances. The complainant further alleged that the accused persons detained him in the car and directed his friend to call his female friend to approach them. During the course of the incident, the accused persons allegedly abused them in obscene language and made sexually offensive remarks against their female friends. Thereafter, it is alleged that the accused persons attempted to abduct the complainant by starting the vehicle with him inside.

6. On the basis of the said allegations, CDA Phase-II Police Station Case No. 113 of 2023 was registered and investigation was taken up.

7. Learned counsel for the Petitioner further submits that

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16

parties has been amicably resolved. It is stated that with the intervention of some of the well-wishers, considering the victims' career and the imminent appearances before trial court in future even after leaving the campus next year. The parties have settled their differences and have decided not to pursue the matter any further. In that regard, a Joint Affidavit has been filed by the Petitioner and the de facto complainant affirming the terms of settlement, which shall form part of the record. The contents of the said Joint Affidavit are extracted hereinbelow:

"1. That the second party is the complainant in the aforesaid case and the first parties are accused in the same. Both the parties amicably settled the case in their free will, do hereby solemnly affirm this joint affidavit to quash the proceedings against the petitioners.

2. That the petitioners/First parties filed the aforesaid application invoking inherent jurisdiction of this Hon'ble Court U/s- 482 CrPc. to quash the proceedings arise out of G.R. Case No. 790 of 2023 corresponding to CDA-2 P.S. Case No. 113 of 2013 of offences U/s- 365/354-A/294/506/34-A IPC pending before the learned JMFC-I, Cuttack, on the ground of compromise and/or mutual settlement among the parties with their free will and consent.

3. That it is humbly submits that me/second party

Signature Not Verified  *and FIR against the present petitioners/first parties, but*

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16

at that point of time I do not know them. Subsequently when the police taken them into custody, I identified them at police station. Later it was decided to amicably settle the dispute among us conditional upon them giving me an assurance that no harm shall be caused to me in the future by any of their act and that if any harm is inflicted upon me in the future the first parties/petitioners shall be deemed to be the primary suspect. Thereafter no misunderstanding happened among us and I don't want to continue the above proceedings against the present petitioners.

4. That it is further submitted that we have mutually settled the case among us and no issue left against the present petitioners to proceed aforementioned case. With our sweet will and free consent having understood all these facts we filed this affidavit of our compromise and/or settlement to quash the proceedings against present petitioners.

5. That it is humbly submitted that considering our affidavit of mutual settlement between the parties, the proceedings may be quashed arising out of proceedings arise out of G.R. Case No. 790 of 2023 corresponding to CDA 2 P.S. Case No. 113 of 2013 of offences U/s- 365/354-A/294/506/34-AIPC r pending before the learned JMFC-I, Cuttack.

6. That the second party humbly submits that considering above facts and circumstances, the petitioners

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16



prayer for quashing of criminal proceedings may be allowed.

7. That the facts stated above are true to the best of my knowledge and belief."

8. Considering the contents of the Joint Affidavit filed by the Petitioners and Opposite Party No. 2/Complainant, and having regard to the principles enunciated by the Hon'ble Supreme Court in *Gian Singh v. State of Punjab*¹, *as well as the decisions of this Court in Lokanath @ Anadi Sethi v. State of Orissa*² *and Sansuri @ Khageswar Lenka v. State of Orissa*³, this Court is of the considered opinion that continuation of the criminal proceeding would serve no fruitful purpose.

9. The dispute in question having been amicably settled between the parties, and the de facto complainant having unequivocally expressed his unwillingness to prosecute the matter any further, the likelihood of securing a conviction is rendered remote and bleak. In such circumstances, the continuation of the criminal proceeding would not subserve the ends of justice but would instead amount to an abuse of the process of Court.

¹ (2012) 10 SCC 303

² Signature Not Verified
Digitally Signed OLR 452
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16

10. In view of the aforesaid discussion and guided by the principles governing the exercise of inherent jurisdiction under Section 482 Cr.P.C. to secure the ends of justice and prevent abuse of process, this Court deems it appropriate to interdict the prosecution.

11. Accordingly, the application stands allowed. Consequently, G.R. Case No. 790 of 2023 arising out of CDA-2 P.S. Case No. 113 of 2023, now pending before the learned JMFC-I, Cuttack, as reflected in Annexure-1, is hereby quashed. This CRLMC is, accordingly, disposed of.

12. Before parting with the case, this Court is constrained to observe, with a sense of concern, that there have been recurring and disturbing incidents reported in and around the campus of National Law University Odisha, Cuttack. Such occurrences, particularly involving allegations of intimidation, misconduct, or unlawful interference with students, cast an unwarranted shadow over an institution of national importance entrusted with imparting legal education and upholding constitutional values.

13. Institutions of higher learning must remain spaces of safety, dignity, and intellectual freedom. Any trend of lawlessness, vigilantism, or disorder in and around the campus environment

Signature Not Verified  jeopardizes students' welfare but also undermines the

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16

institutional ethos. It is expected that the concerned authorities, including the University administration and the local law enforcement agencies, shall remain vigilant and take appropriate preventive and remedial measures to ensure that such incidents do not recur, and that the campus atmosphere remains secure and conducive to academic pursuits. This Court is constrained, in the larger interest of the student community, to issue certain guidelines so as to ensure safety, discipline, and maintenance of a congenial academic atmosphere in and around the campus of National Law University Odisha:

- a) The University authorities shall review and, if necessary, augment campus security arrangements, including deployment of adequate security personnel at entry and exit gates, installation and maintenance of functional CCTV cameras at strategic locations, and proper illumination of vulnerable areas.
- b) The University administration shall maintain regular liaison with the jurisdictional police authorities to ensure prompt response in case of any untoward incident and to conduct periodic patrolling in and around the campus, particularly during late evening hours.

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16



- c) The Commissioner of Police/DCP concerned shall take necessary steps for establishment of a Police Outpost at Naraj, manned by an officer not below the rank of Sub-Inspector along with adequate supporting staff, so as to ensure effective monitoring of the area adjoining the University campus.
- d) A Police Beat House shall be established within the campus of National Law University Odisha with provision for 24x7 deployment of police personnel. The University authorities shall extend necessary infrastructural and logistical support for the functioning of the same.
- e) The jurisdictional police shall take stringent and continuous action to prevent the supply and circulation of alcohol, narcotic drugs, psychotropic substances, and other intoxicants to students, strictly in accordance with the provisions of the applicable penal and special statutes.
- f) The police authorities shall ensure that no anti-social elements congregate in and around the University campus. The University may regulate student movement during late hours in accordance with its Hostel and Campus Regulations, including requiring prior permission from the

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16



Hostel Authorities for movement beyond prescribed hours, subject to reasonable exceptions.

- g) The University authorities may conduct breathalyzer tests, where there is reasonable suspicion of intoxication, in accordance with law and with due regard to privacy and dignity of students, so as to discourage consumption of alcohol within the campus.
- h) The University shall strengthen entry-point security by conducting appropriate checks of bags and vehicles entering the campus to prevent entry of contraband materials. Installation of suitable screening or frisking mechanisms at the entrance gate may be undertaken in compliance with legal safeguards and in coordination with the local police administration.
- i) Periodic inspection of hostel premises may be carried out by the University authorities in accordance with established rules to ensure that students do not keep or consume prohibited substances within the campus.
- j) In cases where any student is found guilty of consuming or possessing alcohol, tobacco, narcotic drugs, or other prohibited substances in violation of university rules, the

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16



Parents or guardians of such student shall be duly informed,

in addition to initiation of appropriate disciplinary proceedings.

- k) The University shall explore the feasibility of arranging scheduled bus services between the main city and the University campus during evening hours so as to facilitate safe and regulated transportation of students to the local market and for other necessary outings.
- l) The University shall conduct periodic awareness programmes sensitizing students regarding personal safety, legal consequences of unlawful acts, and responsible conduct within and outside the campus premises.
- m) A robust and accessible grievance redressal mechanism shall be maintained, enabling students to report incidents of harassment, intimidation, or misconduct without fear of retaliation. Complaints shall be dealt with promptly and in a time-bound manner.
- n) The University shall be at liberty to frame or strengthen such additional regulatory and disciplinary measures as may be deemed necessary to preserve campus discipline, safety, and academic decorum, consistent with constitutional and statutory mandates.

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16



It is expected that the above directions shall be implemented in letter and spirit to ensure that the campus remains a secure and conducive environment for legal education.

14. Interim order, if any, passed earlier stands vacated.
15. Personal appearance of the D.C.P, Cuttack, the Registrar, National Law University (NLU), Odisha, Cuttack and the IIC, CDA Phase-II are dispensed with.
16. A free copy of the order be handed over to the learned Additional Standing Counsel for the State for onward transmission.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali

Signature Not Verified
Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 12-Feb-2026 18:52:16

