**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLA No.785 of 2025**
**CNR- ODHC010469822025**

***Mitanjali Panda & others*** …. ***Appellants/ Petitioners***

Represented by Adv.-
Mr. Prakash Kumar Mishra,
Advocate

*-versus-*

***State of Odisha & another*** …. ***Respondents/ Opp. Parties***

Represented by Adv.-
Mr. R.B. Dash, ASC
Mr. Panchanan Panigrahi,
Advocate

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

**ORDER**

**Order No.**

**31.08.2026**
*(Hybrid mode)*

05. **1.** Heard Mr. Prakash Kumar Mishra, learned counsel appearing for the appellants, Mr. R.B. Dash, learned counsel appearing for the State and Mr. Panchanan Panigrahi, learned counsel for the opposite party no.2.

**2.** In the present appeal under Section 14 A of the SC & ST (PoA) Act, the appellants are challenging the order dated 18.06.2025 passed by the learned Additional District & Sessions Judge-cum-Judge, Special Court, Kamakhyanagar in C.T. (Special) Case No.67/2022, whereby the charges under Sections

294/506/34 of IPC r/w Sections 3(1)(r)/ 3(1)(s)/ 3(2)(va) of the SC & ST (PoA) Act has been taken. By drawing the attention of this Court to the impugned order, it is contended by learned counsel for the appellants that on 18.06.2025, for the first time, the appellants appeared before the trial Court and without even supplying the copies of the charge sheet and all the relating papers, on the same day, the trial Court has framed the charges. He has also shown me the certified copy of the order dated 09.05.2023 by which the learned trial Court has taken cognizance of the offences punishable under Sections 294/506/34 of IPC r/w Sections 3(1)(r)(s)/3(2)(va) of the SC & ST (PoA) Act.

**3.** It appears from the order dated 09.05.2023 and 18.06.2025, that the charge sheet was filed in the present case on 29.04.2023 and after taking cognizance of the offences, the petitioners were summoned. On the first date of their appearance, charges have been framed.

**4.** Perusal of the proceedings of the trial Court, which has been placed on record, reveals that on the day, when the accused persons have appeared before the trial Court pursuance to the summons issued to them, on the same day, the charges have been framed against them without affording them any

opportunity of being heard. This position has been conceded by the learned counsel for the complainant as well as learned counsel for the State.

**5.** Regard being had to the aforementioned, I am inclined to allow the present petition and set aside the order dated 18.06.2025 passed by the learned Additional District & Sessions Judge-cum-Judge, Special Court, Kamakhyanagar in C.T. (Special) Case No.67/2022, whereby the charges have been framed against the appellants and remit the matter back to the trial Court to pass a fresh order on the question of framing of charges by affording opportunity to the appellants of hearing after supplying the copies of the charge sheet and the related papers.

**6.** At this stage, Mr. Mishra, learned counsel pointed out that after this Court passed the interim order dated 17.07.2025, directing the appellants to appear and move appropriate application before the trial Court seeking adjournment, his clients appeared before the trial Court and obtained copies of the charge sheet and all related papers. Therefore, he fairly submits that on the basis of the documents, his clients have already obtained, he would place his case before the trial Court at the time of framing of the charge. It is open for the appellants to move appropriate application in that regard as well.

**7.** With the aforementioned observation, the present petition stands disposed of.

***(Sibo Sankar Mishra)***
***Judge***

Subhasis

Signature Not Verified
Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 01-Sep-2026 15:34:42