



IN THE HIGH COURT OF ORISSA AT CUTTACK

WPCRL No. 102 of 2025

Mamata Parida

....

Petitioner

Mr. Prafulla Kumar Nayak, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mrs. Suman Pattanayak, Additional Government Advocate

CORAM:

HON'BLE THE CHIEF JUSTICE

AND

HON'BLE MR JUSTICE MURAHARI SRI RAMAN

ORDER

26.08.2025

Order No.

04. 1. The victim girl aged about 12 years one month and odd is rescued from the custody of the accused and her statement was recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, where she disclosed the incident. On the basis of such statement, a case has been registered and the accused has been arrested and forwarded to the Court of the District & Sessions Judge-cum-Special Court, Nayagarh. A written instruction in that regard is handed over to the Court by Mrs. Suman Pattanayak, learned Additional Government Advocate (AGA),



appearing on behalf of the opposite parties-State, which is taken on record.

2. The victim was also taken to the hospital for the medical examination, which in fact has been conducted and the medical examination report has also been enclosed with the said written instructions received by learned AGA.

3. We had an occasion to peruse the letter written to the Chairman, Child Welfare Committee (CWC), Nayagarh by the Sub-Inspector of Police, Ranpur Police Station, wherefrom it appears that the victim girl denied going to her parental house and even the parents including the petitioner refused to take her home with them. Since the parents were not interested to take the minor victim girl to their custody, the victim girl was kept in a juvenile home. It can be reasonably inferred that the victim girl is in a safe custody.

4. Mr. Prafulla Kumar Nayak, learned counsel appearing on behalf of the petitioner submits that he has received instruction from the petitioner that the said victim girl has been taken into the custody of her parents. It does not reveal from the documents filed before



this Court that the victim girl has been given in custody of her parents.

5. Be that as it may, if the CWC, Nayagarh has taken a conscious decision to integrate the minor victim girl to the family, we do not have any say in this regard as the wisdom of the CWC is the last point. Obviously, the order to integrate the minor victim girl to the family is passed upon taking into account the reports and the information received by the CWC as required under the Juvenile Justice Act.

6. Since a case has already been registered against the accused who is also apprehended and the victim girl having rescued and if we go by the version of learned counsel for the petitioner that she has been integrated to her family, it would not be in the welfare of the said victim girl to be present physically before this Court.

7. The writ petition is thus disposed of.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge