

ITEM NO.12+42

COURT NO.7

SECTION II-B

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSPetition(s) for Special Leave to Appeal (Crl.) No(s).8336/2026

[Arising out of impugned final judgment and order dated 13-03-2026 in CRLMC No. 346/2026 passed by the High Court of Orissa at Cuttack]

SADHU CHARAN PALEI

Petitioner(s)

VERSUS

NIGAM INSTITUTE OF ENGINEERING AND TECHNOLOGY

Respondent(s)

IA No. 138632/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

WITH

Item No.42

SLP (Crl.) No.8485/2026 (II-B)

IA No. 141019/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 13-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE K.V. VISWANATHANFor Petitioner(s) :Mr. Shakti Kanta Pattanaik, AOR  
Mr. Maibam N. Singh, Adv.  
Mr. K. Sita Rama Rao, Adv.  
Ms. Tara Bisht, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following  
O R D E R

1. Heard the learned counsel appearing for the petitioner.
2. It appears *prima-facie* from the materials on record that the proceedings instituted by the petitioner against the respondent under Section 138 of the Negotiable Instruments Act came to be quashed on the premise that the respondent had not

been impleaded as an accused in the original complaint.

3. The High Court quashed the proceedings on the premise that the Company has to be arrayed as an accused if the proceedings are to continue against the Directors or other persons connected with that Company.

4. The argument of the learned counsel appearing for the petitioner is that the respondent, Nigam Institute of Engineering and Technology is not a company. In other words, it is not a legal entity. It is a private educational trust and, therefore, it was not necessary to make the Institute as one of the accused in the main complaint.

5. Issue notice, returnable in four weeks.

6. Dasti service, in addition, is permitted.

(HARPREET KAUR)  
COURT MASTER (SH)

(POOJA SHARMA)  
COURT MASTER (NSH)