



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4843 of 2026

Tushar Mohanty

....

Petitioner

Mr. B. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

04.05.2026

Order No.

- 01.** 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. This ABLAPL has been filed apprehending arrest pursuant to an F.I.R. likely to be instituted before Ranpur P.S., Dist. Nayagarh and Khurdha (Rural) P.S., Dist. Khurdha.
3. There is no cavil about maintainability of ABLAPL in the absence of an F.I.R., but on a close scrutiny of the recitals in the ABLAPL and on consideration of submissions of the learned counsel for the Petitioner, this Court is ex-facie not persuaded to hold that on the touchstone of the principles laid down by the Apex Court in the case of **Gurbaksh Singh Sibbia & Others Vrs. State of Punjab**, reported in **(1980) 2 SCC 565** and reiterated in the case of **Dhanraj Aswani vs. Amar S. Mulchandani & Ors.** reported in **(2024) 10 SCC**



336, there is any reasonable apprehension of arrest of the Petitioner.

4. Liberty is granted to the Petitioner to renew his prayer, if there is any fresh cause of action to apprehend arrest.

5. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

Soumya

Signature Not Verified

Digitally Signed
Signed by: SOUMYA RANJAN SAMAL
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 05-May-2026 20:12:11

