



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

**ABLAPL No. 4849 of 2026**

***Nagendra 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 Marshaghai P.S., Dist. Kendrapara.
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

