



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No. 14081 of 2025

1. Dhruba Charan Swain ... **Petitioners**
2. Mamata Manjari Swain
3. Baikuntha Nath Swain
4. Biswanath Swain
5. Mamata Puri
6. Trinath Swain

Mr. B. Tripathy, Advocate

-versus-

State of Odisha **Opposite Party**

Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

16.12.2025

Order No.

- 01.** 1. Heard learned counsel for the Petitioners 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 Jakhapura P.S., Jajpur.
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 Petitioners, 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 Petitioners.

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

5. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

Ayesha