

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9301 of 2022

Hrusikesh Panda & another ***Petitioners***
Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha ***Opp.Party***
Mr.S.Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioner that the Petitioners are the husband and father-in-law. Further they are apprehending their arrest in connection with a case likely to be lodged by the informant, who happens to be the wife of Petitioner No.1 and daughter in law of Petitioner No.2. It is further stated that the Petitioner No.1 has also filed an application under Section 13 of the H.M.Act for divorce which is pending before the appropriate forum. However, considering the fact that no F.I.R. has been lodged till date, this Court is not inclined to entertain this anticipatory application.

5. It is directed that in the event any F.I.R. is lodged making allegation under section 498-A of the Indian Penal Code, the Investigating Officer shall follow the mandatory provisions of Section 41-A of the Code of Criminal Procedure.
6. The ABLAPL is accordingly disposed of.
7. Issue urgent certified copy of the order as per Rules.

(A.K. Mohapatra)
Judge

RKS

