

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.20472 of 2022

Rahul Swain

....

Petitioner

***Mr. P. Patnaik,
Advocate***

-versus-

***Regional Passport Officer,
Regional Passport Office,
Bhubaneswar & another***

....

Opposite Party

***Mr. P.K. Parhi,
D.S.J.I
Mr. D.R. Bhokta,
CGC***

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

26.10.2022

Order No.

- 08.
1. Heard the submission of the learned counsel for the respective parties.
 2. This matter was earlier heard on 21.09.2022. On submission of learned counsel seeking coverage of the case by the judgment of this Court in W.P. (c) No. 4834 of 2022, the matter got adjourned to provide opportunity to the counsel for the Opposite Parties to find if the case is covered by the judgment supplied by the learned counsel for the petitioner. On second hearing today by filing Counter Affidavit by the contesting Opposite Parties, Shri P.K. Parhi, learned Deputy Solicitor General of India assisted by Sri D.R. Bhokta, learned Central Government Counsel have no objection on the claim of the petitioner covering the case of the petitioner by the judgment of this Court in W.P.(C) No. 4834 of

2022.

3. This Court accordingly going through the requirement, vide Annexure-2 herein though finds no interference, the petitioner since charged with only criminal cases indicated therein, keeping in view the petitioner has been released by police on application of Section-41-A of Cr.P.C. in fact there is no obstruction for the renewal of the passport of the petitioner involved therein. Disposal of the Writ Petition, this Court permits the petitioner to bring an affidavit before the Competent Authority indicating therein that he has already been released on application of Section-41-A of Cr.P.C along with an undertaking to the effect that he shall cause his presence before the Police Authority or the Competent Court of law undertaking the criminal exercise no sooner he is called for such purpose.

4. An affidavit in the light of above direction circumstances be filed within a period of ten (10) days. Action in renewal of the passport shall be completed within a period of seven (7) days thereafter.

5. With the above direction, this Writ Petition stands disposed of.

(Biswanath Rath)
Judge

Balaram