

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

**ABLAPL No.16413 of 2021**

*Anupam Swain & others* .... *Petitioners*

*-versus-*

*State of Odisha* .... *Opposite Party*

**CORAM:  
THE JUSTICE S.PUJAHARI**

**ORDER  
21.01.2022**

**Order  
No.**

01. 1. This matter is taken up through virtual mode.
2. Since this petition does not disclose a real and substantial apprehension of arrest of the Petitioners in connection with Madhupatna P.S. Case, this Court is of the view that this petition is without any substance.
3. Hence, giving liberty to the Petitioners to file a better application, if real and substantial apprehension arises in future, this petition stands disposed of.
4. However, as it is stated by the learned counsel for the Petitioners that the police without lodging the F.I.R the Petitioners are being harassed and being called to the Police Station frequently. In view of such submission, this Court directs that if the Petitioners attend the Police Station they

should not be taken to custody without registration of any case relating to torture or harassment to Nilima Swain @ Chaudhary and if any case is registered against them, they shall be given a notice under Section 160 Cr.P.C to attend the Police Station well ahead to enable them to approach the Court under Section 438 Cr.P.C.

5. As restrictions due to resurgence of COVID-10 situation are continuing, learned counsel for the parties may utilize a printout copy of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25<sup>th</sup> March, 2020 as modified by Court's Notice No.4798, dated 15<sup>th</sup> April, 2021 and Court's Office order circulated vide Memo Nos.514 & 515 dated 7<sup>th</sup> January, 2022.

**(S. Pujahari)**  
**Judge**