

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16024 of 2022

Surojit Mohanty @ Sujit Matty

.... Petitioner
Mr.Bharat Jalli, Advocate

-versus-

State of Odisha

.... Opposite Party
Mr.P.C.Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.02.2023

Order No.

04.

I.A.NO.271 OF 2023

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This Interlocutory Application has been filed seeking modification of the order dated 20.01.2023.
3. It is submitted by the learned counsel for the Petitioner that the Petitioner has not been named in the F.I.R. in respect of the two similar criminal antecedents. Further, a prayer is made to remove a part of the order which speaks that two similar criminal antecedents involving the offence punishable for a period of more than seven years.
4. Considering such submissions made, it is directed that the “two similar criminal antecedents involving offence punishable not beyond seven years” be deleted. However, learned court below shall examine as to whether the Petitioner is involved in the offences punishable not beyond seven years in respect of two criminal

antecedents. In the event it is found that the Petitioner has been named in the F.I.R in respect of two criminal antecedents, this order shall not be given effect to.

5. In view of the aforesaid modification, four weeks' further time from today is granted to the Petitioner to surrender as per order dated 20.01.2023, but subject to depositing cost of Rs.1000/- (Rupees one thousand) by the Petitioner in the Advocates' Welfare Fund of the Orissa High Court within 15 days from today and furnishing money receipt thereof in proof of the said deposit.

6. It is made clear that, if cost is not paid within the aforesaid stipulated time, then the extension period to surrender shall stand automatically revoked.

7. The I.A. is accordingly disposed of.

8. Issue urgent certified copy of this order as per Rules.

RKS

