



2026:CGHC:3735-DB



2026:CGHC:3735-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPCR No. 13 of 2026**

1 - Upendra Nath Chandra (In Person) S/o Bhagwat Prasad Chandra, Aged About 38 Years R/o Village Kataud, P.S. Dabhra, District- Sakti (C.G.).

2 - Sarita Chandra W/o Upendra Nath Chandra Aged About 33 Years R/o Village Kataud, P.S. Dabhra, District- Sakti (C.G.).

3 - Dhruvi Chandra D/o Upendra Nath Chandra, Aged About 5 Years Minor Through Legal Natural Guardian Father Upendra Nath Chandra, S/o Bhagwat Prasad Chandra Aged About 33 Years, R/o Village Kataud, P.S. Dabhra, District- Sakti (C.G.).

4 - Chitra Chandra D/o Upendra Nath Chandra Aged About 3 Years Minor Through Legal Natural Guardian Father Upendra Nath Chandra, S/o Bhagwat Prasad Chandra Aged About 33 Years, R/o Village Kataud, P.S. Dabhra, District- Sakti (C.G.)

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Its Secretary, Department, Of Home Mantralaya Mahanadi Bhavan, Naya Raipur, Raipur (Chhattisgarh).

2 - Director General Of Police Raipur, District - Raipur Chhattisgarh.

3- Collector, Balod District- Balod (C.G.).



- 4** - Collector, Balodabazar District- Balodabazar- Bhatapara (C.G.).
- 5** - Collector, Sakti District- Sakti (C.G.).
- 6** - Superintendent Of Police, Balod District- Balod (C.G.).
- 7** - Superintendent Of Police Balodabazar District- Balodabazar - Bhatapara (C.G.).
- 8** - Superintendent Of Police, Sakti District- Sakti (C.G.).
- 9** - The Station House Officer Police Station- Gunderdehi, District- Balod (C.G.).
- 10** - The Station House Officer Police Station- Dabhra, District- Sakti (C.G.)
- 11** - The Station House Officer Police Station- Simga, District- Balodabazar-Bhatapara (C.G.)
- 12** - Hari Shankar Chandra S/o Lallu Chandra R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.)
- 13** - Tikeshwar Chandra S/o Harishankar Chandra R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.).
- 14** - Dhaneshwar Chandra S/o Awadhram Chandra R/o Village- Kataud P.S. Dabhra, District- Sakti (C.G.).
- 15** - Kishan Chandra S/o Santram Chandra R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.).
- 16** - Umesh Chandra S/o Kishanlal Chandra R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.).
- 17** - Durga Prasad Chandra S/o Laxman Chandra R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.).



18 - Narmada Chandra S/o Laxman Chandra R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.).

19 - Hitesh Chandra S/o Jhaduram Chandra R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.)

20 - Mahettar Chandra S/o Borra R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.)

21 - Bhansingh Sahu S/o Aagam R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.)

22 - Pardeshi Mahant S/o Mahettar R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.)

23 - Jyotish Chandra S/o Hanuman Chandra R/o Village- Kataud, P.S. Dabhra, District- Sakti (C.G.)

24 - Customer Service Manager Esaf Swasarya Multistate Agro Cooperative Society Gunderdehi Branch, Payal Plaza, Near Bus Stand, District- Balod, Chhattisgarh.

25 - Customer Service Manager Esaf Swasarya Multistate Agro Cooperative Society Raipur- Bilaspur Road Simga, Honda Showroom Building, Simga, District- Balodabazar-Bhatapara (C.G.)

26 - State Of Chhattisgarh Through Its Avar Secretary, Chief Minister Secretariat Office At Mukhyamantri Nivas, Civil Line Raipur District- Raipur (Chhattisgarh)

... Respondents

For Petitioner No.1	:	Mr. Upendra Nath Chandra, Petitioner-in-person.
For State-Respondents	:	Mr. S.S. Baghel, Govt. Advocate.



Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Ravindra Kumar Agrawal, Judge
Order on Board

Per Ramesh Sinha, Chief Justice

19.01.2026

1. Heard Mr. Upendra Nath Chandra, Petitioner-in-person, as well as Mr. S.S. Baghel, learned Govt. Advocate, appearing for the respondent-State.
2. The grievance of the petitioners is that Petitioner No. 1, being the husband and father of Petitioners No. 2 to 4, has suffered due to the alleged acts of private Respondents No. 12 to 25. It is contended that Respondents No. 24 and 25 prepared false documents and committed fraud and cheating, resulting in embezzlement of Rs. 7,00,000/- in the name of customers, while Respondents No. 12 to 23 allegedly forged documents to record their names in the revenue records over the petitioners' name. Respondent No. 19 is further alleged to have embezzled Rs. 70,000/- through online/offline transactions. It is alleged that, on 28.12.2025, private Respondent No. 23 and others physically assaulted the petitioners by hands, fists, danda, and jhara, causing fear, mental harassment, and coercion. Despite repeated complaints seeking registration of an FIR for offences under Sections 201, 227, 228, 316, 318, 336, 338, and 340 of B.N.S., no action has allegedly been taken. Being aggrieved, the petitioners filed the present writ petition seeking directions to the respondent



authorities to register an FIR and take appropriate legal action against the accused respondents, and also to provide protection to them.

3. The prayers made in the petition are as follows:

(i) To issue a writ of mandamus directing the respondent police authorities to register an FIR against Respondents No. 12 to 25 and take appropriate legal action.

(ii) To direct the respondent authorities to act in accordance with the law laid down by the Hon'ble Supreme Court in *Lalita Kumari v. State of U.P.*

(iii) To direct the respondent authorities to provide protection to the petitioners for safeguarding life and property.

(iv) Grant any other suitable relief in the interest of justice.

4. The learned counsel for the respondents/State opposed the petition, submitting that the petition is misconceived, baseless, and not maintainable. It was contended that the allegations are civil, and financial in nature and, therefore, do not disclose any cognizable offence. It was further submitted that preliminary inquiries conducted by the police authorities, found no prima facie cognizable offence requiring registration of FIR. The petitioners have failed to provide credible and admissible, evidence to



substantiate allegations of forgery, embezzlement, assault, or criminal breach of trust.

5. With respect to grievance of the petitioners, in response to the order dated 12.01.2026 of this Court, the Sub-Divisional Officer (P), Chandrapur (Dabhra), District Sakti (C.G.) submitted his affidavit, the contents of which are reproduced hereinunder:-

2. That, at the outset, the deponent respectfully submits that, he is duty bound to follow all the directions & passed by this Hon'ble Court from time to time and is having deepest & highest regard for this Hon'ble orders Court.

3. That, the matter came for hearing before this Hon'ble Court on 12.01.2026, wherein the Hon'ble Court had directed the respondent/State to seek instructions with respect to the representations filed by the petitioners before the Superintendent of Police, Sakti [CG] & the Director General of Police, Chhattisgarh. Thus, in this regard the deponent herein is filing this affidavit for benevolent compliance of the Hon'ble Court's order.

4. It is humbly submitted that the petitioner submitted representations to the Superintendent of Police, Sakti, and the Director General of Police on 09.05.2025 and 14.11.2025 respectively, alleging threats from private respondents.



5. That in pursuance to the letter dated 14.11.2025 filed before the Director General of Police, Chhattisgarh, the Office of the Sub-Divisional Officer of Police (SDOP), Chandrapur (Dabhra), District Sakti, conducted a preliminary inquiry and submitted a report dated 02.01.2026, wherein it was found that, the Petitioner No.1 was employed as a customer service manager at microfinance company named as Esaf Swasarya Multistate Agro Cooperative Society Limited, branch Simga, district Baloda Bazar, from September 2021 to September 2024. The company's divisional manager and cluster manager pressured the petitioner to show the loan amount as recovered, even when it had not been recovered. If he refused, he was threatened with dismissal. Following the company's audit, the petitioner was unilaterally dismissed from service on 25.09.2024, and the loan installment amount was forcibly recovered from him. Following this, the petitioner submitted a complaint. Upon investigation, it was found that the entire sequence of events and the location of the incident occurred at the microfinance company Esaf Swasarya Multistate Agro Cooperative Society Limited, branch Simga, district Baloda Bazar, and branch Gunderdehi, district Balod. Thus, it would be appropriate to investigate the matter in Baloda-Bazar and Balod Branch. Copy of



inquiry report dated 02.01.2026 is filed and annexed herewith as ANNEXURE A/1 and the Copy of letter dated 14.01.2026 issued by the Superintendent of Police, Sakti is annexed herewith as ANNEXURE A/2.

6. It is further submitted that, in representation dated 09.05.2025 filed before the Superintendent of Police, Sakti [CG] a separate inquiry report dated 20.12.2025 from Police Station Dabhra addressed allegations regarding land disputes, and embezzlement against private respondents. The inquiry found that the disputes concerning land and revenue records are already the subject of pending litigation before the Judicial Magistrate First Class (JMFC) Dabhra and the relevant revenue courts. Copy of inquiry reported dated 20.12.2025 is filed and annexed herewith as ANNEXURE A/3 and a copy complaint case pending before the JMFC, Dabhra is annexed herewith as ANNEXURE A/4.

7. That, since the matter is sub-judice before a competent civil/revenue forum, the police have maintained a stance of non-interference in the judicial process while ensuring public order is maintained and the learned JMFC has sought an inquiry report on the next date of hearing i.e. 18.03.2026, which will be submitted duly in time.



8. That, regarding the specific direction for protection, the answering respondents humbly submits that the local police authorities are vigilant. While the inquiry found the root of the dispute to be professional and civil in nature, the Superintendent of Police, Sakti, has instructed the concerned Station House Officer to ensure that no harm is caused to the life and property of the petitioner and to intervene immediately if any cognizable threat is reported.

9. It is noteworthy to mention here that, the inquiry concluded that most incidents alleged by the petitioner occurred within the jurisdictions of District Baloda Bazar and District Balod, where the petitioner was stationed for work and the civil dispute as alleged by the petitioner is pending before the JMFC, Dabhra. Consequently, the local authorities in District- Sakti are coordinating with those districts to monitor any potential threats.

10. That, it is respectfully submitted that the deponent herein has highest regards and immense respect for the orders passed by this Hon'ble Court and the deponent herein is bound to comply the orders passed by this Hon'ble Court in its letter and spirit.

6. Upon perusal of the affidavit filed by SDO (P) Chandrapur (Dabhra) dated 12.01.2026, particularly in Para 8 of the affidavit it transpires that the grievance of the petitioner with respect to his



protection for safeguarding life and property has been taken care of by the Police Authorities and as per the affidavit the Superintendent of Police, Shakti has already instructed the concerned Station House Officer to ensure the protection and safety of the petitioner and his property if any occasion arises.

7. So far as, the claim of the petitioner with respect to registration of the FIR against the accused persons/ respondents No.12 to 25 are concerned, it transpires from the document Annexure-A1 to A4 annexed with the affidavit that the petitioner is already prosecuting the application under Section 175(3) of BNSS, 2023 before the learned Judicial Magistrate First Class (Dabhra) in which, the police report were called by the learned Trial court and next date was fixed before their at 18.03.2026. Since the petitioner is already pursuing his remedy under Section 175(3) of BNSS, 2023, he may pursue his remedy in accordance with law.
8. With the aforesaid observation the present petition stands disposed of.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice