



2026:CGHC:4038-DB
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 45 of 2026

1 - Kaval Singh Bahgel S/o Chandiya Aged About 65 Years R/o 100, Badepara Ghoda Gaon, Joba, District Kondagaon Chhattisgarh 494226
2 - Sukhdai W/o Kaval Singh Baghel Aged About 49 Years R/o 100, Badepara Ghoda Gaon, Joba, District Kondagaon Chhattisgarh 494226
3 - Sarita D/o Kattu Ram Baghel Aged About 13 Years Minor, Through Her Natural Guardians/legal Heirs, Petitioners No. 1 And 2, R/o 100, Badepara Ghoda Gaon, Joba, District Kondagaon Chhattisgarh 494226

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of Home, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, Chhattisgarh India
2 - Director General Police Police Head-Quarter, Near Mantralaya Sector-19, Kotara Bantha, Rakhi-1, Atal Nagar, Naya Raipur, Chhattisgarh 492018
3 - Collector District Kondagaon, Chhattisgarh
4 - Superintendent Of Police Kondagaon, Chhattisgarh
5 - Police Station Kondagaon, Through Station House Officer, District Kondagaon, Chhattisgarh
6 - Shree Anant Hospital Bandhapara, Danteshwari Vihar Colony In Front Of Bandha Talab, Kondagaon, Chhattisgarh Through Its Director Dr. Gaurav Ahluwalia
7 - Dr Anil Dewangan Anesthesia Expert, Shree Anant Hospital, Kondagaon, Chhattisgarh
8 - Dr Deepankar Chandrikapure Civil Surgeon, M.S. (E.N.T) Shree Anant Hospital, Kondagaon, Chhattisgarh.
9 - Dr. Rumaisha Siddiqui Dentist, Anant Hospital Kondagaon Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Ashish Shrivastava, Sr. Advocate along with Shri Ravi Singh, Advocate.
For State	:	Shri Priyank Rathi, Govt. Advocate.

Hon'ble Shri Justice Ramesh Sinha, CJ

Hon'ble Shri Justice Ravindra Kumar Agrawal, J

Order on Board

23.01.2026

Per, Ramesh Sinha, CJ.

- 1 The present petition has been filed with following prayer:-

10.1 It is prayed that this Hon'ble Court may kindly be pleased to call for the entire records concerning the case of the petitioner from the possession of the respondents for its kind perusal.

10.2 It is therefore prayed that this Hon'ble Court may kindly be pleased to issue writ of mandamus commanding the respondent authorities to register a criminal case against the respondents 6-9 in accordance with law in the interest of justice.

10.3 It is therefore prayed that this Hon'ble Court may kindly be pleased to issue appropriate writ directing the concerned respondents to compensate the Petitioner on account of loss of life and further the hardship suffered by family of deceased Kattu Ram Baghel, whose death is caused due to the medical negligence of respondents 6-9.

10.4 It is therefore prayed that this Hon'ble Court may pass any other order/orders, direction/directions, relief/reliefs which this Hon'ble Court may think fit and proper in the facts and circumstances of the case, with cost of the petition may also please be granted to the petitioners.

- 2 Learned counsel for the petitioner submits that the petitioners have made complaint against the private respondents, but the respondent authorities have not taken any action upon complaint of the petitioners till today.
- 3 Learned State counsel, on the other hand, has submitted that the grievance of the petitioner can be very well redressed before the court below by filing an application under Section 156 (3) or 200 Cr.P.C. (now under Section 175(3) or under Section 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023). He further submits that the controversy involved in the present matter has already been decided by the **High Court of Allahabad in Misc. Bench No.24492 of 2020 : Waseem Haider Vs. State of U.P. Through Principal Secretary, Home Others** vide judgment and order dated **14.12.2020** as well as by this Court in

WPCR No.333 of 2020 (Akhilesh Agrawal v. State of Chhattisgarh & Others), decided on 12.04.2023, dismissing the said petition, hence, the present petition be also dismissed in terms of the said order.

- 4** Accordingly, the present writ petition is dismissed with liberty to the petitioners to avail the appropriate remedy before appropriate Forum.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

inder