



2026:CGHC:3176-DB



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 225 of 2026**

1. Indrajeet Yadav S/o Jeetlal Yadav Aged About 33 Years R/o Ward No. 9, Kurud Road Kohaka, Bhatapara, Mangal Bazar, P.S. Supela, District Durg C.G.
2. Pradeep Yadav S/o Late Bhagwan Yadav Aged About 33 Years R/o Laxmi Market, Infront Of Madhura Tailors, Ward No. 4, Rajeev Nagar, Supela, District Durg C.G.
3. Rahul Sinha S/o Rajendra Sinha Aged About 37 Years R/o Ward No. 11, Patwari Badi, Shanti Nagar, Bhilai P.S. Shanti Nagar, District Durg C.G.

... Applicant(s)**versus**

1. State of Chhattisgarh Through Station House Officer Police Station Jamul, District Durg C.G.
2. Ashok Banjare S/o Late Kanwal Singh Banjare Aged About 39 Years R/o Near Satnam Chowk, Dhour, P.S. Jamul, District Durg C.G.

...Respondent(s)

(Cause-title taken from Case Information System)



For Applicants	:	Mr. P. Chetan Kumar, Advocate.
For Respondent/State	:	Mr. Sourabh Sahu, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

20.01.2026

1. Heard Mr. P. Chetan Kumar, learned counsel for the applicants. Also heard Mr. Sourabh Sahu, learned Panel Lawyer, appearing for the State/respondent No. 1.
2. The present petition has been filed by the applicants with the following prayer:

"It is, therefore, prayed that the Hon'ble Court may kindly be pleased to allow this application and quash the First Information Report bearing Crime No. 648 kof 2025 registered at Police Station Jamul District Durg (C.G.) which has been registered against the applicants for offence under Section 306, 34 of the Indian Penal Code and entire criminal proceedings pending before learned First Additional Sessions Judge, Durg in Session Trial No. 377 of 2025 against the applicants, in the interest of justice."



3. Learned counsel for the applicants submits that the applicants and the elder brother of the deceased became acquainted in the year 2021, when the deceased and his elder brother agreed to sell their ancestral land to the applicants owing to financial exigency. An agreement to sell was executed on 27.10.2021 for a total consideration of Rs.35,00,000/-, out of which Rs. 2,00,000/- was paid as advance to the deceased and his elder brother. It is contended that despite execution of the agreement and receipt of the advance amount, the deceased and his elder brother failed to perform their part of the contract and kept delaying execution of the sale deed. Consequently, the applicants issued a legal notice dated 10.01.2024 calling upon them to comply with the agreement. In response, the complainant and the deceased jointly replied on 24.01.2024, demanding an enhanced consideration of Rs.45,00,000/- on the ground of increase in market value, which, according to learned counsel, was arbitrary, illegal, and contrary to the agreed terms.

4. Learned counsel further submits that thereafter, the complainant's brother committed suicide on 03.02.2024 at about 5:00 p.m. in the kitchen of his residence. It is submitted that the deceased was suffering from hemorrhoids and that his mental condition had deteriorated due to prolonged illness, resulting in depression, which ultimately led to the said incident. Despite there being no proximity or nexus between the applicants and the alleged act of suicide, an FIR bearing No. 648/2025 came to be registered at Police Station Jamul, District Durg (C.G.) against the applicants. It is further submitted that after registration of the



FIR, Applicant No. 1 was granted anticipatory bail by this Court, while the other two applicants were granted regular bail by the learned trial Court. Subsequently, the police filed a final report and criminal proceedings were initiated before the competent Court.

5. Learned counsel for the applicants contends that the complainant, in the FIR, has alleged that the applicants were unwilling to comply with the agreement and to pay the remaining sale consideration, and that such conduct allegedly compelled the deceased to commit suicide. It is submitted that the said allegation is vague, unfounded, and devoid of merit. On the contrary, the applicants had sought enforcement of the agreement, whereas the complainant and the deceased attempted to unilaterally enhance the sale consideration after having received advance money. It is further contended that the essential ingredients of Sections 306 and 34 of the IPC are conspicuously absent, as there is no allegation of instigation, intentional aid, or active participation on the part of the applicants which could be said to have driven the deceased to take the extreme step.

6. Learned counsel further submits that the FIR, on its plain reading, does not disclose commission of any cognizable offence against the applicants. The allegations are general and omnibus in nature and do not attribute any specific overt act or incident of harassment to the applicants. The complainant has not pointed out even a single instance that could constitute abetment to suicide. It is also submitted that during the course of investigation, the police authorities failed to objectively



examine whether the allegations disclosed a prima facie offence. The investigating agency further overlooked the expert opinion relating to the alleged suicide note, which opined that no definite conclusion could be drawn upon examination of the handwriting.

7. Learned counsel for the applicants further contends that the facts clearly indicate that the complainant, being the elder brother of the deceased, lodged the FIR after considerable delay with a mala fide intention to evade his contractual obligations under the agreement to sell and to avoid refund of the advance amount of Rs. 2,00,000/-. The criminal proceedings, according to learned counsel, have been initiated as a pressure tactic to coerce the applicants. Even assuming the allegations to be true on their face value, the FIR does not disclose any specific role attributable to the applicants and, therefore, cognizance against them, particularly against the co-accused, is wholly unjustified.

8. *Per contra*, learned State counsel submits that in the present case, charges have already been framed against the applicants on 10.12.2025. It is further submitted that the prosecution evidence has commenced before the learned trial Court and the trial is presently in progress. On the said ground, it is contended that the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') is not maintainable at this stage and is liable to be dismissed.

9. We have heard learned counsel for the parties and perused the pleadings as well as the material available on record.



10. Considering the facts and circumstances of the case, it is evident that the charges have already been framed against the applicants and the trial has commenced. It is also pertinent to note that the applicants have not challenged the order framing charges dated 10.12.2025. Once the charges have been framed and evidence has begun, this Court would ordinarily be slow in exercising its inherent jurisdiction under Section 528 of the BNSS, particularly when no challenge has been made to the order framing charges. Interference at this stage would amount to stalling the trial proceedings, which is impermissible in law.

11. In view of the aforesaid, this Court is not inclined to interfere in the matter at this stage. Accordingly, the present petition stands **dismissed**. However, it is hoped and expected that the learned trial Court shall make an earnest endeavour to conclude the trial expeditiously, in accordance with law, without being influenced by any observations made herein, if there is no legal impediment.

**Sd/-
(Ravindra Kumar Agrawal)
Judge**

**Sd/-
(Ramesh Sinha)
Chief Justice**