



2026:CGHC:3186

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 112 of 2026**

1 - Dilip Sharma Son Of Shivnarayan Sharma, Aged About 40 Years, R/o. Saakin Mahamayapara Nahar Road, Thana Ambikapur, District - Surguja (C.G.).

2 - Rajesh Sharma S/o Shivnarayan Sharma, Aged About 35 Years, R/o. Saakin Mahamayapara Nahar Road, Thana Ambikapur, District - Surguja (C.G.).

... Applicants**versus**

1 - State Of Chhattisgarh Through Police Station Ambikapur, District Surguja (C.G.).

... Respondent

For Applicants	:	Ms. Hamida Siddiqui, Advocate.
For State/Respondent	:	Mr. Vithika Choubey, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order on Board****20/01/2026**

1. Heard on admission.
2. The present revision has been filed by the applicants against the order dated 02.01.2026 in Sessions Trial No. 154/2025 passed by the learned IV Additional Sessions Judge, Ambikapur, District-Surguja, C.G. whereby the learned trial Court has framed charges against the applicants under Sections 296, 351(3), 115(2), 117(2),

324(4), 331(6), 331(7), 3(5) of BNSS.

3. Brief facts of the case are that an oral report was lodged by the complainant at Gandhinagar Police Station, District Sarguja (C.G.), stating that on 20.05.2025, at about 21:30, when the complainant was at his office along with his colleagues. The applicants/accused Dilip Sharma and his brother Rajesh Sharma entered the office, abused the complainant using foul language, and damaged office property. They also assaulted the complainant, causing injury to his right-hand finger. Based on such complaint, the applicants have been arrested and the charge-sheet has been filed. Learned trial Court framed charges against the applicants under sections 296, 351(3), 115(2), 117(2), 324(4), 331(6), 331(7) and 3(5) of BNS. Hence, this revision.
4. Learned counsel for the applicants submits that the complainant and the applicants had earlier business relations, therefore, the applicants' entry into the office was lawful and authorized, and it is not a house/office trespass. The applicants have visited the office on 20/05/2025 with a bona fide intention to settle accounts, without any criminal intent or premeditation and when they entered the office, they were not armed which indicates that the applicants have no premeditation, therefore, the essential ingredients of Sections 331(6) and 331(7) of the BNSS are not made out to prove the trespass or causing any harm. Therefore, the applicants are liable to be discharged of charges under Section 331(6) and 331(7) of BNSS and the order dated 02.01.2026 is liable to be set aside
5. Learned counsel for the State supported the impugned order.
6. Heard the learned counsels for both the parties and perused the material available on record.

7. From the material on record, it shows that the incident occurred on 20.05.2025 at about 9:30 pm and the applicants entered into the office room and caused injury to the victim Prashant Raj Dwivedi, as a result of which, he sustained fracture. At the stage of framing charges, the Court is not required to conduct a retrial and analyze the evidence meticulously. It only needs to see whether or not a prima facie case exists. A prima facie case under Sections 331(6) and 331(7) is established, warranting a trial. In these circumstances, the arguments advanced by counsel for the applicants cannot be sustained.
8. Accordingly, there is no merit in the revision and therefore, it is **dismissed** at the motion stage itself.

Sd/-
(Sanjay Kumar Jaiswal)
JUDGE