



2026:CGHC:2946-DB



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HIGH COURT OF CHHATTISGARH AT BILASPUR**CRMP No. 210 of 2026**

Devendra Kumar S/o Ravindra Kumar Tamboli Aged About 31 Years R/o Housing Board Colony, Kerajhariya, Police Station Pali District - Korba Chhattisgarh

... Petitioner**versus**

1 - State of Chhattisgarh Through Station House Officer, Police Station Pali District - Korba Chhattisgarh

2 - Ambika Kashyap D/o Krishn Kumar Kashyap Aged About 21 Years R/o Housing Board Colony, Kerajhariya, Police Station Pali District - Korba Chhattisgarh

... Respondents

(Cause-title taken from Case Information System)

 For Petitioner : Mr. Vikas Kumar Pandey, Advocate
 For Respondent No.1 /State : Mr. Priyank Rathi, Govt. Advocate

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

Order on Board**Per Ramesh Sinha, Chief Justice****19.01.2026**

1. Heard Mr. Vikas Kumar Pandey, learned counsel for the petitioner as well as Mr. Priyank Rathi, learned Government Advocate, appearing for the State/respondent No. 1.
2. The present petition has been filed by the petitioner under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 with the following prayer :



"It is therefore prayed that, this Hon'ble Court may kindly be pleased to allow this instant petition and quash the order taking cognizance dated 20/12/2024 passed in Criminal Case No. 1454/2024, passed by Judicial Magistrate, First Class, Pali, District Korba (C.G.), the Charge Sheet bearing No.302/2024 dated 18/12/2024 and the FIR Bearing No.301/2024 dated 01/11/2024 filed by the Police Station Pali District- Korba (C.G.) for commission of offence punishable under Section 296, 351(2), 333 and 74 of the BNSS, 2023 on and all consequential proceedings, in the interest of justice."

3. Learned counsel for the petitioner submitted that the petitioner is a Government Servant and working as Clerk in the Tahsil Office and is residing at Housing Board Colony, Kerajhariya, Pali, District - Korba and near the house of the petitioner, the respondent No.2 along with her family and other persons also resides by encroaching over the government land. He further submitted that since various persons were residing over government land, inspection of the government land was done by the revenue authorities and as the petitioner was posted as Clerk in the Tahsil office, all the encroachers had grudge against the petitioner, without there being any fault of the petitioner and in such series of events on 30/10/2024 at around 10:00 P.M., the respondent no.2 and its family members destroyed the rangoli made in front of the house of the petitioner on account of the such act by the respondent no.2 and her family small fight happened between the petitioner and the family of the respondent no.2 and thereafter in



order to further harass the petitioner, the respondent no.2 on 01/11/2024 at 05:00 P.M. lodged a written report before the Police Station, Pali alleging that, the petitioner touched her inappropriately, abused her and also threatened to kill the family members and on the basis of same, the FIR bearing Crime No.301/2024 was registered against the petitioner for commission of offence punishable under Section 296, 351(2), 74 and 333 of the BNSS, 2023. He also submitted that though the incident happened without any fault of the petitioner, yet the offence was registered against the petitioner and against such act of the respondent no.2, the petitioner also lodged a written report before the Police Station, Pali and on the complaint of the petitioner FIR bearing Crime No.303/2024 was registered against the respondent no.2 for commission of offence punishable under Section 296 and 351(2) of the BNSS, 2023 and subsequently chargesheet was also filed against the respondent no.2. He contended that though the complaint filed by the respondent no.2 was baseless and has no merit, yet without properly going through the provisions and without inspecting the documents, chargesheet has been filed against petitioner and by the order dated 20/12/2024, the learned JMFC, Pali has taken cognizance against the petitioner for commission of offence punishable under Section 296, 351(2), 333 and 74 of the BNSS, 2023. Hence, the same may be quashed.

4. As the allegations and counter allegations have been levelled by



the petitioner and the complainant against each other, we do not find any good ground for interference at this stage, accordingly, the instant petition is **dismissed** leaving it open to the petitioner to raise all the objections at an appropriate stage before the trial Court.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice