



2026:CGHC:9783-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 578 of 2026

Hari Prasad Das S/o Munudau Das Aged About 60 Years R/o Ward No.05, Purani Basti Dhimrapur, Police Station City Kotwali, District - Raigarh, Chhattisgarh.

... **Petitioner**

versus

1 - State of Chhattisgarh Through Police Station - City Kotwali, District - Raigarh, Chhattisgarh.

2 - Mithlesh Singh S/o Roman Singh Aged About 23 Years R/o Bhagwarnpur, Raigarh, District - Raigarh, Chhattisgarh.

... **Respondents**

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Hemant Kumar Agrawal, Advocate
For Respondent-State	:	Mr. Shaleen Singh Baghel, Government Advocate

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

Judgment on Board

Per Ramesh Sinha, Chief Justice

25.02.2026

1. Heard Mr. Hemant Kumar Agrawal, learned counsel for the petitioner. Also heard Mr. Shaleen Singh Baghel, learned Government Advocate, appearing for the State/respondent No.1.



2. The petitioner has filed this petition praying for following relief:-

“1. It is respectfully prayed the entire records and the case diary pertaining to (1) the FIR no. 41/2025 registered at the P.S. City Kotwali, Distt. Raigarh (C.G.), (2) the impugned charge sheet no. 265/2025 filed for offences u/Ss. 110, 105 of the BNS (Corresponding section 304, 308 of the IPC) (3) the impugned Order dated 18.08.2025 faking cognizance of the offences by the Committal Court against the petitioner under Sections 110, 105 of the BNS (4) the entire criminal proceedings that are undergoing in Session Case No 96/2025 State of Chhattisgarh vs. Hari Prasad Das before the Court of learned Session Court, Raigarh, (C.G.) may kindly be called from the appropriate state authorities.

2. It is respectfully prayed that (1) the FIR no. 41/2025 registered at the P.S. City Kotwali, Distt. Raigarh (CG), (2) the impugned charge sheet no. 265/2025 filed for offences u/Ss. 110, 105 of the BNS (Corresponding section 304, 308 of the IPC) (3) the impugned Order dated 18-08-2025 taking cognizance of the offences by the Committal Court against the petitioner under Sections 110, 105 of the BNS (4) the entire criminal proceedings that are undergoing in Session Case No. 96/2025 State of Chhattisgarh vs. Hari Prasad Das before the Court of learned Session Court, Raigarh, (C.G.) may kindly be quashed/set aside, because they are bad, illegal, perverse and untenable in the



eyes of law. [See, Annexure P/1 (colly).

3. It is respectfully prayed that the any other criminal proceedings, if existing, in connection with the impugned charge sheet no. 265/2025 filed for offences u/Ss. 110, 105 of the BNS, 2023 arising out of the impugned FIR no. 41/2025 registered at the P.S. City Kotwali, Distt. Raigarh (C.G.), may kindly be quashed/set aside, because it is/are bad, illegal, and untenable in the eyes of law.

4. It is respectfully prayed that this Hon'ble Court may further be pleased to pass any other order in favor of the present petitioners, as this Hon'ble Court deems fit in the interest of justice.

5. Cost of the petition.”

- 3.** Learned State counsel submits that the order taking cognizance has been passed on 15.11.2025, but the same has not been challenged in the present petition.
- 4.** In view of the submission made by learned State counsel that the order taking cognizance dated 15.11.2025 has not been challenged in the present petition, and the said defect goes to the root of the matter, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition with liberty to file a fresh, duly constituted petition incorporating appropriate pleadings and an appropriate challenge to the order taking cognizance along with a proper prayer clause.



5. Accordingly, the present petition is **dismissed as withdrawn**, with liberty as prayed for, subject to the petitioner depositing costs of Rs.5,000/- in the Registry of this Court within a period of one week from today. The said amount shall be transmitted to the Government Special School for Visual Handicapped, Boys and Girls Jashpur (C.G.).
6. Certified copies of the documents annexed to the petition, if any, shall be returned to learned counsel for the petitioner after retaining photocopies thereof on record, subject to deposit of the aforesaid costs.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice