



2026:CGHC:9457-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 49 of 2026

Mila Bai W/o Gannu Ram Aged About 70 Years R/o Ward No. 19, Kalangpur,
P.S. Ranchirai, Tehsil Gunderdehi, Distt. Balod, Chhattisgarh.

... Petitioner

versus

**1 - State Of Chhattisgarh Through Secretary, Department Of Home,
Mantralaya, Naya Raipur, Distt. Raipur, Chhattisgarh.**

2 - Collector District Balod, Chhattisgarh.

3 - Superintendent Of Police Distt. Balod, Chhattisgarh.

4 - Sub Divisional Magistrate Gunderdehi, Distt. Balod, Chhattisgarh.

5 - Section House Officer P.S. Ranchirai, Distt. Balod, Chhattisgarh.

---- Respondents

(Cause title taken from Case Information System)

For Petitioner	:	Mr. Pritam Singh, Advocate
For Respondents/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, C.J.

24/02/2026

1. The present writ petition under Article 226 of the Constitution of India
has been filed by the petitioner, calling in question the legality, validity



and propriety of the summons dated 17.12.2025 and the consequential initial order of the same date (Annexure P/3), issued by the Sub-Divisional Magistrate, Gunderdehi, District Balod, in exercise of powers under Sections 126/135(3) and 170 of the Bharatiya Nagrik Suraksha Sanhita, 2023 whereby the petitioner was directed to appear before the said authority and furnish a security bond of Rs. 50,000/-.

2. The facts of the case, as emerges from the pleadings of the petition are that, the petitioner, a 70-year-old lady and owner of House No. 346 situated at Village Kalangpur, Tahsil Gunderdehi, District Balod (C.G.), has filed the present writ petition challenging the summons dated 17.12.2025 and the initial order of the same date issued by the Sub-Divisional Magistrate, Gunderdehi, under Sections 126/135(3) and 170 of the Bharatiya Nagrik Suraksha Sanhita, whereby she has been directed to appear and furnish a security bond of Rs. 50,000/- on the allegation of conducting prayer meetings at her residence. It is the case of the petitioner that she is a follower of the Christian faith and, since the year 2010, members of the Christian community, numbering about 20–30 persons, assemble peacefully every Sunday for approximately two hours in the courtyard of her house for offering prayers. According to the petitioner, no loudspeaker is used during such gatherings, no obstruction is caused to the public street, and adequate space is available within the premises for parking of motorcycles and bicycles. She submits that no complaint was ever made by any villager regarding disturbance of peace prior to the issuance of the impugned notice. The petitioner further states that she



resides in the house along with two other female members and, being advanced in age and physically weak, faces hardship due to the proceedings initiated against her. She contends that the initiation of preventive proceedings solely on the ground of holding prayer meetings amounts to harassment and is violative of her fundamental rights guaranteed under Articles 19 and 25 of the Constitution of India.

3. Learned counsel for the petitioner submits that the proceedings have been initiated mechanically, in the absence of any material indicating likelihood of breach of peace, and merely on the ground that members of the Christian community assemble at the petitioner's residence for offering prayers. Learned counsel would submit that peaceful religious gatherings within a private premises, without use of loudspeakers or obstruction to public order, cannot by any stretch of imagination be construed as a threat to public tranquillity so as to warrant preventive action. The essential ingredients for invoking the preventive jurisdiction are conspicuously absent in the present case, and the impugned action amounts to an unwarranted interference with the petitioner's fundamental rights guaranteed under Articles 19 and 25 of the Constitution of India.
4. Learned counsel appearing for the State submits that pursuant to issuance of the show cause notice, the petitioner appeared before the Sub-Divisional Magistrate; however, instead of filing any reply to the show cause notice or contesting the proceedings on merits, she voluntarily furnished a bond of Rs. 50,000/- for a period of six months on 18.02.2026, and accordingly the proceedings were concluded and



the case was closed. In view of the said subsequent development, the very cause of action for filing the present writ petition no longer survives and the relief sought has been rendered infructuous. It is thus submitted that as the petitioner has already complied with the order and the proceedings have already closed, the present writ petition deserves to be dismissed as infructuous, apart from being devoid of substantive merit.

5. We have heard learned counsel for the parties and perused the pleadings and documents brought on record.
6. Having heard learned counsel for the parties and perused the record, it is evident that the impugned proceedings were initiated on the basis of a complaint received by the police and the consequent Istagasa submitted before the Sub-Divisional Magistrate, Gunderdehi, invoking preventive jurisdiction under Sections 126/135(3) and 170 of the Bharatiya Nagrik Suraksha Sanhita. During the course of hearing, learned counsel for the petitioner fairly submits that he has received the reply filed on behalf of the State/respondents. From the return and the documents annexed therewith, it transpires that pursuant to issuance of show cause notice, the petitioner appeared before the competent authority and furnished a bond as directed, whereafter the proceedings have been concluded and the matter has already been closed by the Sub-Divisional Magistrate.
7. In view of the aforesaid subsequent development and the fact that the proceedings impugned in the present writ petition no longer survive for



adjudication, no further cause of action subsists requiring interference by this Court in exercise of jurisdiction under Article 226 of the Constitution of India.

8. Accordingly, the present writ petition stands **disposed of** as having become infructuous.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

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